

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39076 of 2024

Arising Out of PS. Case No.-566 Year-2023 Thana- MITHANPURA District- Muzaffarpur

Abdullah @ Md. Abdullah @ Mohammad Abdullah S/o Late Aziz Akbar
RESIDENT OF MOHALLA - JOGIYAMATH, POLICE STATION - TOWN,
DISTT - MUZAFFARPUR, AT PRESENT R/O MOHALLA - MARIPUR,
P.S- KAZI MUHAMMADPUR, DIST - MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Anis Akhtar, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 12-07-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Mithanpura P.S. Case No.566 of 2023 registered for the offence
under Sections 302/34 of the Indian Penal Code and Section 27
of the Arms Act.

3. Allegation against the petitioner is to have
committed murder of the son of the informant along with other
co-accused persons.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner is not named in
the FIR and his name surfaced during course of investigation on



the basis of confessional statement of other co-accused person. It is submitted that nothing incriminating articles surfaced against this petitioner, during course of investigation, which may connect this petitioner with the present set of occurrence. It is submitted that similarly situated co-accused persons have already been granted bail by this Court through Cr. Misc. No.38299 of 2024 on 23.05.2024 and Cr. Misc. No.36269 of 2024 on 20.05.2024. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 30.12.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Mithanpura P.S. Case No.566 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur East.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of



this order. However, it is made clear that *if the charge-sheet has not been submitted* then the above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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