

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39573 of 2024

Arising Out of PS. Case No.-192 Year-2023 Thana- CHACKMEHSI District- Samastipur

Bhishm Kumar @ Bhishm Mahto @ Bhishan Mahto SON OF Indrajeet
Mahto BHAKHTIYARPUR, P.S. CHAKMEHSI DIST - SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

ORAL ORDER

2 12-07-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Chakmehsi P.S. Case No.192 of 2023 registered for the offence
under Sections 341, 323, 324, 307, 326, 354B, 379/34 of the
Indian Penal Code.

3. Allegation against the petitioner is to have
assaulted the informant and also thrown Acid upon her.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that it appears
from perusal of FIR that the only allegation as regard to
disrobing has been levelled against this petitioner and no



allegation as regard to assault as well as throwing acid upon the informant has been levelled. It is also submitted that similarly situated co-accused persons have already been granted bail by this Court through Cr. Misc. No. 25080 of 2024 on 08.04.2024. It is further submitted that petitioner is in custody since 18.03.2024.

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 Chakmehsi P.S. Case No.192 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 J.M. 1st Class-cum-Additional Munsif, Samastipur.

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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