

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41002 of 2024

Arising Out of PS. Case No.-142 Year-2023 Thana- PURAINI District- Madhepura

Mantu Sah, Male, aged about 30 years, Son of Madhusudan Sah, Resident of Village- Majarpatti, Ward no. 13, P.S.- Udakishunganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 15-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Puraini
P.S. Case No. 142 of 2023 instituted for the offences punishable
under Section 392 of the Indian Penal Code.

3. As per the prosecution case, three unknown
miscreants carrying carbine and pistol riding on Apache
motorcycle came at the informant's shop and assaulted the
informant and fired at him from firearms and took away his two
mobiles, the whole incident is alleged to have been recorded in
the CCTV.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has



falsely been implicated in this case only on the basis of confessional statement of co-accused jayjay Sahni. He further submits that the petitioner is not named in the FIR and his name has come during course of investigation. Nothing incriminating articles have been recovered from the conscious possession or house of the petitioner. Petitioner is in custody since 12.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Sessions Judge, Madhupura dated 06.04.2024, it appears that the petitioner has been made accused only on the basis of confessional statement of co-accused Jayjay Sahni. Similarly situated co-accused person namely Jay Jay Sahni has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 37536 of 2024 vide order dated 21.05.2024, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Udakishunganj, Madhepura in connection with Puraini P.S. Case No. 142 of 2023.



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 petitioner shall be released on bail on above conditions and he shall be 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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