

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65159 of 2023

Arising Out of PS. Case No.-140 Year-2023 Thana- RAGHOPUR District- Supaul

1. Abhinandan Kumar @ Suman Kumar Son of Ramdeo Sah @ Ramdev Sah Resident of Jamal Nagar, Ward No. 12, Police Station-Salkhua, District-Saharsa.
2. Raj Kumar Son of Premlal Sah Resident of Jamal Nagar, Ward No. 12, Police Station-Salkhua, District-Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 13-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioners are in custody in connection with Raghopur P.S Case No. 140 of 2023 registered for the offences punishable under Sections 324, 307 and 34 of the I.P.C and 27 Arms Act.

3. As per allegation in the FIR, when informant was returning to his home two unknown persons fired on him due to which informant became injured.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case.



Learned counsel for the petitioners further submits that previously FIR was lodged against unknown persons. Petitioners' name surfaced after the information of *Guptchar*. From perusal of the entire case diary and several witnesses examined by Investigating Officer no witnesses ascertained or stated involvement of present petitioners in this case. It is also submitted that petitioners are in judicial custody since 28.04.2023 and petitioners have got no criminal antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Birpur, District-Supaul in connection with Raghapur P.S Case No. 140 of 2023.

7. However, the trial court is directed to conclude



the proceeding of the *framing of charge* according to law
within a period of one months from the date of receipt of
this order.

(Ramesh Chand Malviya, J)

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