

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.72959 of 2023

Arising Out of PS. Case No.-306 Year-2022 Thana- PAHARPUR District- East Champaran

Guddu Paswan, aged about 22 years, Male, Son Of Jitendra Paswan @ Jitendar Pasvan, Resident Of Village - Ahwar Sheikh, Paswan Chowk, P.S. - Majhauriya, District - West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 15-02-2024 Heard learned counsel for the petitioner, learned APP

for the State and perused the case diary.

The petitioner is in custody in connection with Paharpur P.S. Case No. 306 of 2022 registered for an offence under Sections 395 and 412 of the Indian Penal Code and Sections 25(1-b)a, 26 of the Arms Act.

As per allegation in the FIR that on the point of pistol Rs.13,20,770 was looted from the bank by the accused persons.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. Petitioner is not named in the FIR and nothing incriminating article has been recovered from the possession of the petitioner. Petitioner is in custody since 15.06.2023.

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

Perused the FIR, seizure list, bail petition and



impugned order dated 12.09.2023 passed by Additional Sessions Judge-19, East Champaran, Motihari, it appears that the name of the petitioner surfaced on the confessional statement of two co-accused persons who arrested on the spot, also no recovery from the conscious possession of the petitioner and also petitioner is in custody since 15.06.2023.

Considering the above facts, let the above named petitioner be released on bail, *after framing of the charge*, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Paharpur P.S. Case No. 306 of 2022.

The trial court is directed to conclude the proceeding of framing of charge according to law a period of one month 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 present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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