

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79712 of 2023

Arising Out of PS. Case No.-299 Year-2023 Thana- RAMGARHWA District- East Cham-
paran

=====

Brajesh Kumar Son Of Late Bhagwan Sah Resident Of Village - Bela, P.S.-
Ramgadhawa, Distt.- West Champaran, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Shivnandan Bharti, Advocate
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

4 20-04-2024 Let the defect(s) as pointed out by the Stamp Re-
porter be removed.

2. Heard learned counsel appearing on behalf of the
parties.

3. The petitioner seeks bail in a case registered for
the offence punishable under Sections 323 and 307 379 of the
Indian Penal Code and Sections 25(1-b)a, 26 and 27 of the Arms
Act.

4. As per the prosecution case, it is a case of gun
shot firing upon the informant by the petitioner and recovered
some firearms

5. Learned counsel for the petitioner has sub-
mitted that petitioner has falsely been implicated in this case. He



next submits that there is no mark of firing to anywhere at the place of occurrence and there is no eye witness to the alleged occurrence. From perusal of the injury report, no injury is found on the body of the victim. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 19.07.2023.

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

7. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be directed to be released on bail ***after framing of the charge*** in connection with Ramgadhwa P.S. Case No.299 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 CJM, East Champaran, Motihari.

8. 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)

Brajesh Kumar/-

U		T	
---	--	---	--

