

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2193 of 2024**

Arising Out of PS. Case No.-229 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

Md. Jawed @ Mohammad Jawed, Male, aged about 28 years, Son of Late Md. Shaukat, Resident of Village- Chandwara Chhit Bhagwatipur, P.S- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

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

ORAL ORDER

3      20-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Brahmpura PS Case No. 229 of 2023 instituted for the offences punishable under Sections 401, 411, 413, 414 of the Indian Penal Code.

3. As per the prosecution case, the informant states that in course of checking, the accused persons who were on two motorcycles made an attempt to escape. Some of them fell down as a result of which two of the accused persons namely Md. Jawed (petitioner) and Md. Faizal were caught while others managed to escape.

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. There is no any recovery from the conscious possession of the petitioner. Petitioner has no concern with the seized motorcycle. Only key of the vehicle and mobile has been recovered from the possession of the petitioner. Petitioner is in custody since 24.09.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional District and Sessions Judge-XVIII, Muzaffarpur dated 29.11.2023, it appears that the FIR has been lodged by the informant Md. Alam against seven accused persons for the offences punishable under Sections 401, 411, 413, 414 of the Indian Penal Code. The petitioner is named in the FIR, which has been registered on the basis of written report given by one Md. Alam, SHO Brahampura. There is no any independent witness of the alleged occurrence. Similarly situated co-accused persons namely Sajan Kumar has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 1056 of 2024 vide order dated 18.01.2024, 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 Judicial Magistrate-1st Class, Muzaffarpur in connection with Brahmpura PS Case No. 229 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)

Anand Kr.

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