

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 2367 of 2024

Arising Out of PS. Case No.-127 Year-2023 Thana- HATHAURI District- Muzaffarpur

Manish Pandey @ Manish Kumar Late Ram Ekbal Pandey Resident of
village - Paramjiwar, P.S.- Hathauri, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

**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 is in custody in connection
with Sessions Tiral No. 731 of 2023 arising out of
Hathauri P.S Case No. 127 of 2023 registered for the
offences punishable under Sections 399, 402 of the
Indian Penal Code read with Sections 25(1-b)A and
26/35 of the Arms Act.

3. As per prosecution case, one country made
pistol loaded with .315 bore cartridge was recovered
from the petitioner.

4. Learned counsel for the petitioner submits



that petitioner has falsely been implicated in this case. It is further submitted that on perusal of the FIR there is no independent witness of the seizure list. It is also submitted that petitioner is in judicial custody since 29.05.2023.

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

6. On perusal of the FIR, impugned order and period of custody and also 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) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Muzaffarpur in connection with sessions Trial No. 731 of 2023 arising out of Hathauri P.S Case No. 127 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the 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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