

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6530 of 2024

Arising Out of PS. Case No.-238 Year-2023 Thana- RAJEPUR District- East Champaran

Kundan Kumar, Male, aged about 25 years, Son of Kamal Kishor Ray @
Kamal Kishor Rai, Resident of Village- Bhagwatiya, P.S. Rajepur, District-
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, APP

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

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Rajepur PS Case No. 238 of 2023 instituted for the offences
punishable under Sections 341, 382, 323, 324, 307, 413, 414,
354 (B), 379, 506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and other
co-accused persons abused and assaulted the informant and her
sister-in-law.

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. From perusal of the first
information report, seizure list and impugned order dated
22.11.2023, it appears that on the basis of FIR, registered



against five persons including this petitioner, all offences are bailable in nature except 382, 307, 414, 354 and 379 of the Indian Penal Code. Petitioner is in custody since 06.10.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Rajepur PS Case No. 238 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)

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