

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80134 of 2023

Arising Out of PS. Case No.-207 Year-2023 Thana- NOORSARAI District- Nalanda

MD. DANISH S/O MD. NESARUDDIN @ NESARUDDIN VILLAGE-
GAURI BIGHA, PS. CHANDI, DIST. NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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

ORAL ORDER

2 20-12-2023 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Noorsarai P.S. Case No.207 of 2023 registered for the offence
under Sections 397 of the Indian Penal Code.

3. The allegation against the petitioner is to
have committed robbery and while committing so taken away
the Toto Rikshaw, cash of Rs. 900/-, etc. of the informant.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is not named in the FIR
and he has falsely been implicated in the present case. It has
been submitted that name of the petitioner has surfaced on the
basis of confessional statement of other co-accused. It has



further been submitted that nothing incriminating has been recovered from conscious possession of the petition, which may connect this petitioner with the present set of occurrence. It has further submitted that petitioner is in custody since 04.07.2023.

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

6. Considering the facts and circumstances and nothing has been recovered from conscious possession of the petitioner as to connect him with the present set of occurrence, let the petitioner, above named, is directed to be released on bail, *after framing of charge*, in connection with Noorsarai P.S. Case No.207 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Nalanda at Biharsharif.

7. However, learned court below is directed to frame the charges within one month from the date of receipt of this order.

(Ramesh Chand Malviya, J)

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