

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80029 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- BALUA BAZAR District- Supaul

Mithlesh Sharma @ Mithlesh Kumar Sharma, aged about 32 years, Male,
Son Of Laddu Sharma @ Ladulal Sharma Resident Of Village- Bishanpur
Gulami, Ward No. 9, Balua Bazar, Ps- Balua Bazar, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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

ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Baluwa Bazar P.S. Case No. 42 of 2023 instituted for the of-
fences punishable under Section 392 the Indian Penal Code .

3. Allegation against the four miscreants is that they
snatched the loaded pick up van of the informant along with one
mobile phone.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that the petitioner is not named in the FIR, nothing has
been recovered from the conscious possession of the petitioner
though looted mobile was recovered from the possession of



co-accused, namely, Rustam Ali, petitioner has clean antecedent and he is in judicial custody since 03.07.2023. He further submits that similarly situated co-accused has already been granted regular bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No.70454 of 2023 vide order dated 06.11.2023.

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

6. Considering the facts and circumstances of the case as well as the fact that similarly situated co-accused has already been granted regular bail by a Co-ordinate Bench of this Court, let the petitioner above named be released on bail *after framing of charge*, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned I/C SDJM, Supaul in connection with Baluwa Bazar P.S. Case No. 42 of 2023.

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

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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