

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5451 of 2024

Arising Out of PS. Case No.-941 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Saroj Kumar, Male, aged about 19 years, Son of Babudhan Chaudhary,
Resident of Village- Majhiyaon, P.S.- Badhaila, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sadanand Roy, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

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

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sasaram (Town) PS Case No. 941 of 2023 instituted for the offences punishable under Section 379 of the Indian Penal Code.

3. As per the prosecution case, it is case of stolen motorcycle.

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 on mere suspicion. Learned counsel for the petitioner submits that from the possession of the petitioner there is no recovery and petitioner has got no criminal



antecedent. Petitioner is in custody since 07.10.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list, and impugned order dated 08.12.2023 passed by the learned 1st Additional Sessions Judge, Rohtas at Sasaram, it appears that the police has submitted chargesheet under Sections 379/411 of the Indian Penal Code and motorcycle has been recovered from the possession of the petitioner.

7. Considering the period of custody, no any criminal antecedent as stated in paragraph 3 of the application 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, Rohtas at Sasaram in connection with Sasaram (Town) PS Case No. 941 of 2023.

8. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of one month 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 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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