

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5762 of 2024

Arising Out of PS. Case No.-554 Year-2023 Thana- MADHUBAN District- East Champaran

Muntun Sahani, aged about 25 years, Gender-Male, Son of Bihari Sahani,
Village- Baisahan, P.S. Chakia, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Advocate

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

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

ORAL ORDER

4 03-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Madhuban P.S. Case No. 554 of 2023 instituted for the offences
punishable under Sections 420,467,468,413,414/34 of the Indian
Penal Code.

3. As per the prosecution case, there is recovery of
stolen motorcycle from the accused persons.

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 only on the basis of dirty
village politics. He further submits that the petitioner has neither



arrested at the spot nor anything has been recovered from his conscious possession and except the disclosure made by co-accused Niraj Kumar, there is nothing to show complicity of this petitioner in the present case. Petitioner is in custody since 08.11.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Sessions Judge, East Champaran at Motihari dated 13.12.2023, it appears that the petitioner is named in the FIR but his name has been surfaced only on the basis of confessional statement of co-accused Niraj Kumar, accordingly the prayer for bail of the petitioner is allowed. 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/Concern Court, Motihari, East Champaran in connection with Madhuban P.S. Case No. 554 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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