

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.13725 of 2024

Arising Out of PS. Case No.-202 Year-2022 Thana- SARAI RANJAN District- Samastipur

Devendra Kumar Sharma @ Nanki, aged about 26 years (Male), Son Of
Chhotelal Sharma, Residence of Mohalla/ Vill- Jitwarpur Kumhra P.S
-Sarairanjan, Distt- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

2 09-04-2024 Let the defect(s) as pointed out by the Stamp

Reporter be ignored in course of the day.

2. Heard learned counsel for the petitioner and
learned APP for the State.

3. The petitioner seeks bail in a case registered
for the offence under Section 392 of the Indian Penal Code.

4. As per the prosecution case, three unknown
persons forcefully at the gun point looted Rs.17,200 and a
mobile phone of the informant.

5. Learned counsel for the petitioner has
submitted that petitioner has falsely been implicated in this case.
He next submits that there is no specific overt-act or omission as
alleged in the FIR and petitioner is in custody since 26.08.2022.

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

7. On perusal of the first information report and
impugned order dated 11.10.2023, it appears that the name of



the petitioner surfaced from the confessional statement in another case and no test identification parade has been held during investigation and he is in custody since 26.08.2022.

8. Considering the aforesaid facts and circumstances of the case as also the period of custody of the petitioner, let the above named petitioner be directed to be released on bail *after framing of the charge* in connection with Sarairanjan P.S. Case No.202 of 2022 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-III, Samastipur.

9. 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 above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner has to be present physically on each and every date before the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

U		T	
---	--	---	--

