

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10287 of 2024

Arising Out of PS. Case No.-11 Year-2023 Thana- TURKAULIYA District- East Champaran

Sukesh Kumar, aged about 25 years, Male Son of Shankar Chaudhary @ Shnkar Chaudhari, Resident of Village- Dhekhan Bisunpur (Dhekaha Bishunpur), P.S.-Pipra Kothi, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

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

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

ORAL ORDER

2 21-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Turkauliya (Raghunathpur O.P.) PS Case No. 11 of 2023 instituted for the offences punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution case, it is case of road robbery in which a motorcycle, mobile and other articles of the informant were snatched by 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. Petitioner is not named in the FIR. It is further submitted that no looted articles have been



recovered from the conscious possession of the petitioner and no Test Identification Parade has been made till date.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and impugned order of the learned Additional Sessions Judge- 20th East Champaran, Motihari dated 27.09.2023, it appears that no recovery has been made from the conscious possession of the petitioner and his name surfaced from the confessional statement of two co-accused namely, Guddu Sahani and Chhotelal Kumar. Petitioner is in custody since 17.04.2023, 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, East Champaran, Motihari in connection with Turkauliya (Raghunathpur O.P.) PS Case No. 11 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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