

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6472 of 2024

Arising Out of PS. Case No.-513 Year-2023 Thana- GOPALPUR District- Bhagalpur

Malik Kumar Jha, aged about 23 years, Male, S/o Nand Kishor Jha R/o Vill -
Tingharia, P.S. - Kursela, Dist. - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP

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

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Gopalpur P.S. Case No. 513 of 2023 registered for an offence
punishable under Section 392 of the Indian Penal Code.

3. As per prosecution case, it is a case of looting Toto
vehicle bearing Chesis No.M67AF7E (P) 23H24556 of the in-
formant.

4. Learned counsel for the petitioners submits that pe-
titioner has falsely been implicated in this case. He next submits
that the petitioner is not named in the FIR and neither the peti-
tioner apprehended on spot nor any recovery has been made
from his conscious possession. Petitioner is in custody since



08.11.2023.

5. However, learned APP for the State opposes the prayer for regular bail of the petitioner.

6. On perusal of the first information report and impugned order dated 04.01.2024 passed by learned Additional District & Sessions Judge-3rd Naughachia, it appears that the name of the petitioner surfaced on the basis of confessional statement of co-accused, considering which, I am inclined to grant bail to the petitioner. Accordingly, let the petitioner above named be released on bail *after framing of the charge* on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Naughachia, District- Bhagalpur in connection with Gopalpur P.S. Case No. 513 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to the 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 above named petitioner shall be released on bail on furnishing bail bonds with further condition that the petitioner have to present physically present on each and every date before the trial Court till conclusion of the proceeding of fram-



ing of charge.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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