

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7169 of 2024**

Arising Out of PS. Case No.-172 Year-2022 Thana- BHAPTIAHI District- Supaul

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Kundan Kumar Mehta @ Kundan Kumar S/o- Om Prakash Mehta Village-  
Dhena ward no 6 ps- Ratanpur district- Supaul

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

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

ORAL ORDER

2      20-02-2024                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner is in custody in connection with Bhaptiyahi P.S Case No. 172 of 2022 registered for the offences punishable under Sections 392, 342 read with 34 of the Indian Penal Code and subsequently added Sections 395, 412 of the I.P.C.

3. As per allegation in the FIR, the petitioner along with other co-accused persons looted a pick-up van.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case.



He further submits that nothing has been found from the conscious possession of the petitioner. The similarly situated co-accused has already been granted bail by the Co-ordinate Bench of this Court vide order dated 24.05.2023 passed in Cr. Misc. No. 28294. It is also submitted that petitioner is in judicial custody since 15.09.2023.

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

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Bhaptiyahi P.S Case No. 172 of 2022.

7. The trial court is directed to conclude the



proceeding of framing of charge according to law within a period of 15 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 the 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)

Nilmani/-

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