

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10178 of 2024

Arising Out of PS. Case No.-385 Year-2021 Thana- KATIHAR NAGAR District- Katihar

Suraj Kumar Yadav, Aged-26 years, Male, S/O- Late Chandrashekhar Yadav
@ Chandal Yadav R/O- Naya Tola, Ward No.- 35, P.S.- Katihar Nagar, Dist.-
Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Arbind Kumar Pandey, APP

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

ORAL ORDER

2 26-02-2024 Heard learned counsel appearing on behalf of
the parties.

2. The petitioner seeks bail in connection with
Katihar Nagar P.S. Case No.-385 of 2021 registered for the of-
fence punishable under Sections 461 and 379 of the Indian Pe-
nal Code.

3. As per the prosecution case, it is a case of theft
of one Laptop of Lenovo company as also one mobile of Oppo
company by some unknown persons.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has falsely been implicated
in this case and he also submits that from perusal of the prosecu-
tion case as well as the material available on record, it appears
that there is no specific allegation against the petitioner for theft



of the mobile and laptop from the office of the informant.

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

6. On perusal of the first information report and also the impugned order dated 23.11.2023, it appears that petitioner is not named in the FIR and stolen laptop was recovered from the joint house of the petitioner and the same is not put on test identification parade and petitioner is in custody since 12.06.2023, in these circumstances, the period of custody of the petitioner, the prayer for bail of the petitioner is allowed. Let the above named petitioner be directed to be released on bail ***after framing of the charge*** in connection with Katihar Nagar P.S. Case No.385 of 2021 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Katihar.

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 above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to present physically on each and every



date before the Trial Court till conclusion of the proceeding of
framing of charge.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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