

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8124 of 2024

Arising Out of PS. Case No.-687 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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Rahul Kumar, aged about 22 years (M), Son Of Mahendra Das R/O-Godhwa,
P.S.-Mufassi, Distt.-East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate.

For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Mufasil P.S Case No. 687 of 2023 registered for
the offences punishable under Sections 467, 468, 471,
401, 414 read with 34 of the I.P.C.

3. As per allegation in the FIR, it is alleged that
one motorcycle was recovered from the joint possession
of the co-accused Vikash Kumar and Rahul Kumar
(petitioner).

4. Learned counsel for the petitioner submits



that petitioner has falsely been implicated in this case and nothing has been recovered from his conscious possession. He further submits that the name of the petitioner came on the confessional statement of co-accused Vikash Kumar. It is also submitted that petitioner is in judicial custody since 26.09.2023.

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 C.J.M., East Champaran in connection with Mufasil P.S Case No. 687 of 2023.

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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