

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12094 of 2024

Arising Out of PS. Case No.-456 Year-2023 Thana- RANIGANJ District- Araria

Nilesh Yadav @ Nilesh Kumar, Gender-Male, aged about 20 years, Son of Shambhu Yadav, Resident of Meghutola, Raniganj, P.S.- Raniganj, District-Araria (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Ravish,, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with RaniganjPS Case No. 456 of 2023 instituted for the offences punishable under Section 395 of the Indian Penal Code.

3. As per the prosecution case, some miscreants looted cash of Rs. 3,000/- and a mobile from the informant.

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. He is not named in the FIR and on the basis of confessional statement of co-accused Manohar Yadav, he has been implicated in this case. Petitioner has got no criminal antecedent as stated on para 3 of the



petition. There is no any recovery from the conscious possession of the petitioner. Petitioner is in custody since 27.11.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list, case diary and the impugned order of the learned Additional District and Sessions Judge-IVth Araria dated 08.01.2024, it appears that the name of the petitioner surfaced in the confessional statement of co-accused Manohar Yadav and nothing articles have been recovered from the conscious possession of the petitioner, 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 Sub-divisional Judicial Magistrate, Araria in connection with Raniganj PS Case No. 456 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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