

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13933 of 2024

Arising Out of PS. Case No.-104 Year-2023 Thana- BIDUPUR District- Vaishali

Mithlesh Kumar @ Mithilesh Kumar (M), aged about 22 years, Son Of Ram Babu Ray @ Ram Babu Rai, Resident Of Village- Govindpur Jharkaha, P.S.- Rajapakar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 04-03-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Bidupur P.S. Case No.-104 of 2023 registered for the offence under Sections 392 and 411 of the Indian Penal Code.

3. As per the prosecution case, the informant along with his father was returning back to his home from Hajipur on sitting by his motorcycle and when reached at Deva Chowk, then three miscreants on a bike intercepted them and robbed him on the gun point and looted his motorcycle and his mobile phone and the cash of Rs.2000/- from his pocket and also took away his SBI ATM card and etc.

4. Learned counsel appearing on behalf of the



petitioner submits that petitioner has falsely been implicated in this case. He next submits that nothing incriminating article has been recovered from his possession and petitioner has been remanded in this case in Bidupur P.S. Case No. 105 of 2023 and only on the basis of confessional statement of co-accused Sonu Kumar during course of investigation and nothing against this petitioner. Petitioner is in custody since 06.07.2023.

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

6. Considering the facts and circumstances and submissions made by learned counsel for the petitioner, let the above named petitioner be directed to be released on bail *after framing of the charge* in connection with Bidupur P.S. Case No.104 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Vaishali at Hajipur.

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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