

Arising Out of PS. Case No.-314 Year-2011 Thana- SHERGHATI District- Gaya

Arising Out of PS. Case No.-314 Year-2011 Thana- SHERGHATI District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 29-02-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Sherghati (Dobhi) P.S. Case No.314 of 2011 registered for the offence under Sections 395 of the Indian Penal Code.

3. Allegation against the petitioner is to have lotted cash of Rs. 6,200/- and other articles of the informant along with other co-accused persons.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that petitioner is not named in the FIR, where, his name surfaced during course of investigation on the basis of confessional statement of other



co-accused person, namely, Brajesh Paswan. It is submitted that nothing incriminating articles recovered from the conscious physical possession of this petitioner which may connect this petitioner with the present set of occurrence. It is also submitted that similarly situated co-accused persons have already been granted bail by different learned co-ordinate Benches of this Court through Cr. Misc. No.25356 of 2014 on 28.08.2014, Cr. Misc. No.3255 of 2016 on 03.02.2016. It is further submitted that petitioner is in custody since 26.05.2023.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Sherghati (Dobhi) P.S. Case No.314 of 2011 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Sherghati, Gaya.

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)

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