

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15350 of 2024

Arising Out of PS. Case No.-668 Year-2022 Thana- BAGHA District- West Champaran

Manish Ram @ Anish Ram, aged about 28 years, Male Son of Parsan Ram,
Resident of Village- Jhajhari Jhumka, Ps- Inarwa, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

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

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bagaha
(Patkhauli) PS Case No. 668 of 2022 instituted for the offences
punishable under Section 379 of the Indian Penal Code later on
Sections 401,411,413,414/34 of the Indian Penal Code has also
been added.

3. As per the prosecution case, this is a case of
missing of a motorcycle from the court premises, which belongs
to 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 for ulterior motive.



Petitioner is not named in the FIR and only on the confessional statement of co-accused Deelip Ram, he has been made accused. Neither the petitioner has been caught at the spot nor any incriminating articles has been recovered from the conscious possession of the petitioner. He further submits that the petitioner has been arrested in the present case and the police has also implicated the petitioner in several cases on the basis of confessional statement of co-accused Deelip Kumar. Petitioner is in custody since 03.12.2022.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional Sessions Judge-1st Bagaha, West Champaran dated 26.06.2023, it appears that only on the basis of confessional statement of co-accused Deelip Ram, petitioner has been made accused. Neither the petitioner caught at the spot nor any incriminating articles has been recovered from the conscious possession of the petitioner. Similarly situated co-accused persons namely Ramayan Yadav has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 18567 of 2023 vide order dated 16.05.2023, 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 A.C.J.M.-1st, Bagaha, West Champaran in connection with Bagaha (Patkhauli) P.S. Case No. 668 of 2022.

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.

8. Further, if the petitioner shall not appear before the learned trial Court for two consecutive dates without any valid reason, the bail bonds of the petitioner shall be cancelled by the trial Court.

(Ramesh Chand Malviya, J)

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