

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14224 of 2024**

Arising Out of PS. Case No.-175 Year-2023 Thana- BIHIA District- Bhojpur

Abhishek Kumar, Male, aged about 22 years, Son of Birendra Kumar,  
Resident of Village- Chhotaki Sanadiya, P.S.- Ara Mufassil, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

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

ORAL ORDER

2      04-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with Bihiya  
PS Case No. 175 of 2023 instituted for the offences punishable  
under Section 392 of the Indian Penal Code.

3. As per the prosecution case, three unknown accused  
persons came on a motorcycle and snatched the bag containing  
Rs. 52,069/- along with mobile phone and key of the motorcycle  
of the informant.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent has committed no offence and has falsely  
been implicated in this case. Petitioner has not named in the FIR  
but on the basis of confessional statement of co-accused



Sandeep Singh, he has been falsely implicated in this case, while he was not present on the place of occurrence. Nothing incriminating articles have been recovered from the possession of the petitioner nor there is any independent eye witness of the alleged occurrence. Petitioner is in custody since 13.10.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary and impugned order of the learned District and Sessions Judge, Bhojpur at Ara dated 17.01.2024, it appears that on the basis of confessional statement of co-accused Sandeep Singh, he has been made accused, 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.-V, Bhojpur at Ara / Concerned Court in connection with Bihiya PS Case No. 175 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)**

Anand Kr.

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