

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15957 of 2024

Arising Out of PS. Case No.-290 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Chunnu Paswan @ Chunnu Kumar, aged about 20 years, Male Son of Mahendra Prasad, Resident of Village- Rampur Milki, P.S.- Ara Muffasil, District- Bhojpur (Ara).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP

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

ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Udwant Nagar PS Case No. 290 of 2023 instituted for the offences punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution case, the accused persons snatched the bag of the informant containing laptop, bio-metric machine and Rs. 55,430/-.

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. Petitioner has not named in the FIR. Nothing has been recovered from the conscious possession of the petitioner. Petitioner's name surfaced in the



instant case on the basis of confessional statement of co-accused Sandeep Kumar. Learned counsel for the petitioner further submits that investigation has already been completed and chargesheet has been submitted and no Test Identification Parade has been held. Petitioner is in custody since 30.09.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Sessions Judge, Bhojpur at Ara dated 30.01.2024, it appears that petitioner has not named in the FIR and his name surfaced in this case on the basis of confessional statement of co-accused Sandeep Kumar, no test identification parade has been conducted till date and has not been arrested at the spot, 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Udwant Nagar PS Case No. 290 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.

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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