

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16076 of 2024**

Arising Out of PS. Case No.-468 Year-2023 Thana- GHORASAHAN District- East Champaran

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Wakil Yadav, Male, aged about 21 years, Son of Ramdeo Rai, Resident of Village- Bankul, P.S.- Bankul, District- Rautahat, Nepal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Ms. Pushpa Sinha, APP

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**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 Sessions Trial No. 49 of 2024 arising out of Ghorasahan PS Case No. 468 of 2023 instituted for the offences punishable under Sections 413 and 414 of the Indian Penal Code.

3. As per the prosecution case, petitioner has been apprehended with a motorcycle without any registration number, the motorcycle is a stolen one and the said motorcycle came to the place of occurrence for sale.

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. Nothing incriminating



articles has been recovered from the conscious possession of the petitioner. He has been arrested on the basis of suspicion. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 07.08.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned 1<sup>st</sup> Additional District and Sessions Judge, East Champaran at Motihari dated 14.12.2023, it appears that petitioner was apprehended with a stolen motorcycle. No any independent witness of the seizure list, no criminal antecedent as stated in para 3 of the petition and has been made accused only on the basis of suspicion, 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 Additional District and Sessions Judge-13, East Champaran, Motihari in connection with Ghorasahan PS Case No. 468 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)**

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