

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16692 of 2024

Arising Out of PS. Case No.-485 Year-2023 Thana- KONCH District- Gaya

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Jitendra Kumar @ Botla S/O Ajay Yadav Resident Of Village- Dhanchui,
P.S.-Konch, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence under Section 392 of the Indian Penal Code.

3. As per the prosecution case, three unknown
accused persons stop the bike of the informant, assaulted him
and looted his bike, mobile and cash of Rs.23,000/- and fled
away from the spot.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that petitioner is not named in the FIR and no any
incriminating articles have been recovered from the conscious
possession of the petitioner, he has got clean antecedent as
stated in para-3 of the petition and he is in custody since
24.11.2023. He next submits that similarly situated co-accused
has already granted bail by this Court passed in Cr. Misc. No.



16324 of 2024.

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

6. Considering the facts and circumstances of the case, let the petitioner, above named, be directed to be released on bail *after framing of the charge* in connection with Konch P.S. Case No.485 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Sushil Dutt, Judicial Magistrate, Ist Class, Gaya/concerned Court/concerned court.

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)

Brajesh Kumar/-

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