

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19927 of 2024

Arising Out of PS. Case No.-847 Year-2023 Thana- AURANGABAD TOWN District-
Aurangabad

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Pankaj Kumar S/O Sunil Chamar @ Suneel Ram R/O Village- Mini Bigha,
Near Brahamsthan, P.S- Aurangabad Town, District - Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

2. The petitioner seeks regular bail in connection with
Aurangabad Town P.S. Case No. 847 of 2023 registered for the
offence under Sections 380 and 411 of the IPC.

3. As per the prosecution case, the allegation against the
petitioner on 21.11.2023 in the night the petitioner entered into the
house of the informant to commit theft and he was apprehended red
handed and from his possession two mobile phones have been
recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the present
case. Nothing has been recovered from the possession of the
petitioner. He further submits that the petitioner is not named in the
FIR. Petitioner is in custody since 22.11.2023.

5. However, learned APP for the State vehemently



opposed the prayer for regular bail.

6. On perusal of FIR, seizure list and impugned order dated 31.01.2024, it appears that one mobile phone was recovered from the possession of the petitioner and the petitioner has no criminal antecedent as stated in paragraph 3 of the application. Considering the aforesaid facts and circumstances of the case and period of custody, 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 learned C.J.M. Aurangabad in connection with Aurangabad Town P.S. Case No. 847 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the above conditions and he shall be present physically on each and every date before the trial court till conclusion of proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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