

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19682 of 2024

Arising Out of PS. Case No.-394 Year-2023 Thana- ATRI District- Gaya

Niraj Kumar, aged about 28 years (Male), Son Of Ajay Kumar Prasad @
Ajay Prasad, Resident Of Village - Bhusanda, Police Station - Muffasil,
District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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

ORAL ORDER

2 03-04-2024 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, 2-3 unknown
accused persons intercepted the vehicle of the informant, took
the informant into their vehicle and thereafter stolen the vehicle
of the informant.

4. Learned counsel for the petitioner has
submitted that petitioners have falsely been implicated in this
case. He next submits that there is no recovery from the
possession of the petitioner and petitioner has got clean
antecedent as stated in para-3 of the petition and he is in custody
since 03.10.2023. He next submits that similarly situated co-
accused has already been granted regular bail by a Co-ordinate
Bench of this Court passed in Cr. Misc. No. 8150 of 2024.



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

6. Considering the aforesaid facts and circumstances of the case as well as the fact that similarly situated co-accused has been granted bail, let the petitioner, above named, be directed to be released on bail ***after framing of the charge*** in connection with Atri P.S. Case No.394 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 learned CJM, Gaya.

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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