

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19770 of 2024

Arising Out of PS. Case No.-416 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

Dhiraj Kumar @ Dheeraj Kumar son of Jayram Ray Village- Mohanpur PS
Mhoanpur op PS-Patori District- Samastipur Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Adv.

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 27-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Shahpur Patori P.S. Case No. 416 of 2022 registered for an
offence punishable under Sections 379/34 and 411 of the IPC.

3. As per FIR, the informant's motorcycle bearing
Registration No. BR31K 9615 has been stolen away allegedly
by the petitioner and one Mithilesh Kumar. The occurrence of
theft has been evidenced by one Lalbabu Paswan.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He further
submits that no any incriminating article has been recovered
from the conscious possession of the petitioner and the
petitioner is in custody since 23.07.2023.

5. However, learned APP for the State opposes the



prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and the fact that no recovery has been made from the possession of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Shyam Nath Sah, learned Judicial Magistrate 1st Class, Samastipur in connection with Shahpur Patori P.S. Case No. 416 of 2022.

7. The trial Court is directed to conclude the proceeding of framing of charge according to the law within a period of 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 above conditions and the petitioner 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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