

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18010 of 2024

Arising Out of PS. Case No.-182 Year-2023 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

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Shamshad @ Md. Samsad @ Md. Shamshad, aged about 35 years, Gender-
Male, Son Of Sahim @ Md. Sahim, Resident Of Village- Bachaut Ward No.
9, P.S.-Morkahi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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

ORAL ORDER

2 14-03-2024 Heard learned counsel appearing on behalf of the

parties.

2. The petitioner seeks bail in connection with Rail
GRP/SPG/P.S. Case No.-182 of 2023 registered for the offence
under Sections 379 of the IPC.

3. As per the prosecution case, it is a case of stolen
of the purse of the informant containing gold chain and other
items.

4. Learned counsel for the petitioner has submitted
that petitioner has falsely been implicated in this case. He next
submits that petitioner has got clean antecedent and he is in
custody since 24.09.2023.

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

6. On perusal of the first information report and
impugned order dated 05.01.2024, it appears that the petitioner



is not named in the FIR and only one mobile phone was recovered from the possession of the petitioner, in these circumstances, I am inclined to grant bail to the petitioner. Let the petitioner, above named, be directed to be released on bail ***after framing of the charge*** in connection with G.R.P/S.P.J/P.S. Case No.182 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 Judicial Magistrate-Ist Class, Samastipur/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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