

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18447 of 2024

Arising Out of PS. Case No.-590 Year-2023 Thana- NATHNAGAR District- Bhagalpur

Sanni Kumar, Male, aged about 23 years, Son of Maheshwar Yadav, Resident of Ward No.- 08, Thatha, P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Krishna, Advocate

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

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

ORAL ORDER

4 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Nathnagar (Madhusudanpur) P.S. Case No. 590 of 2023 instituted for the offences punishable under Section 394 of the Indian Penal Code.

3. As per the prosecution case, accused persons assaulted the informant with country made pistol on the head and snatched Rs. 70,000/-, a Tab of Samsung Company, a mobile phone and Pulsar Motorcycle bearing Registration No. BR 10AH 6013 and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has



falsely been implicated in this case. It is further submitted that the petitioner is not named in the FIR and nothing incriminating articles have been recovered from the conscious possession of the petitioner. He next submits that the petitioner has been made accused only on the basis of suspicion. Chargesheet has already been submitted in this case and charge has already been framed. Petitioner is in custody since 25.08.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary and the impugned order of the learned Sessions Judge, Bhagalpur dated 13.02.2024, it appears that petitioner is not named in the FIR. From perusal of the records, it also appears that the name of the petitioner has been surfaced only on the basis of confessional statement of co-accused and the petitioner has not put on Test Identification Parade, accordingly the prayer for bail of the petitioner is allowed. 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 the learned Judicial Magistrate-1st Class, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 590 of 2023.

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 petitioner shall be released on bail on above conditions and further the petitioner shall be present before the trial Court till conclusion of proceeding of charge.

(Ramesh Chand Malviya, J)

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