

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22370 of 2024**

Arising Out of PS. Case No.-974 Year-2022 Thana- TURKAULIYA District- East  
Champaran

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Sheikh Daroga @ Sk Daroga @ Md. Nasir Jamsed S/O- Sk Iliyas @ Sheikh  
Iliyas @ Shekh Aliyas R/O- Village- Mushahari Tola, Ianerwa, P.S.-  
Banjariya, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Kundan Rathore

For the Opposite Party/s : Mr.Veena Kumari Jaiswal

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**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 is in custody in connection  
with Turkauliya (Banjariya) P.S Case No. 974 of 2022  
registered for the offences punishable under Sections  
413/414 of the I.P.C.

3. As per prosecution case, petitioner along  
with co-accused have alleged to have stolen the  
motorcycle.

4. Learned counsel for the petitioner submits  
that petitioner has falsely been implicated in this case. It



is further submitted that petitioner is not named in the FIR his name surface from the confessional statement of the co-accused. It is next submitted that one of the co-accused has already granted bail by the Co-ordinate Bench of this Court *vide* order dated 19.05.2023 passed in Cr. Misc. No. 9059 of 2023. Petitioner has got no criminal antecedent as stated in para 3 of the bail petition. It is also submitted that petitioner is in judicial custody since 06.01.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail ***after framing of the 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, Motihari / concern Court, Motihari, East Champaran in connection with



Turkauliya (Banjariya) P.S Case No. 974 of 2022.

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 the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Mayank/-

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