

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22385 of 2024

Arising Out of PS. Case No.-127 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Hari Mohan Kumar @ Chunchun Kumar S/o Subh Narayan Pandey R/o Vill -
Baghari, P.S. - Runnisaidpur, Dist. - Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Ibrahim, Adv.

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

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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 Sadar (Muzaffarpur) P.S Case No. 127 of 2023
registered for the offences punishable under Sections
392 of the I.P.C.

3. As per prosecution case, three unknown
persons have theft Rs. 2,62,93/-, a mobile with a sim
card from the informant and fled away.

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 FIR his name surfaced from the confessional statement of the accused person. It is next submitted that no recovery was made from the possession of the petitioner. It is also submitted that petitioner is in judicial custody since 10.08.2023.

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 Muzaffarpur in connection with Sadar (Muzaffarpur) P.S Case No. 127 of 2023.

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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