

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21101 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- RIGA District- Sitamarhi

Sunil Kumar @ Sunil Kushwaha S/o Ram Babu Singh @ Rambabu Kumar
R/o Vill - Ram Nagar (Ward No. 16), P.S. Riga, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar

For the Opposite Party/s : Ms. Renu Kumari

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

ORAL ORDER

3 17-05-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Riga P.S. Case No.206 of 2023 registered for the offence under
Section 394 of the Indian Penal Code and Section 27 of the
Arms Act.

3. As per the prosecution case, accused persons
looted the bag of the informant which contains Rs.51,000/-, on
mobile and also lotted informant's motorcycle.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner is not named in
the FIR and his name surfaced on the basis of confessional



statement of other co-accused person, namely, Gautam Chaudhary, who is named in the FIR. It is submitted that nothing has been recovered from the possession of this petitioner. It is submitted that similarly situated co-accused person has already been granted bail by this Court through Cr. Misc. No.28032 of 2024. It is further submitted that petitioner is in custody since 07.11.2023.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Riga P.S. Case No.206 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 A.C.J.M.-VI, Sitamarhi.

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)

S.Katyayan/-

U		T	
---	--	---	--

