

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23356 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- SUGAULI District- East Champaran

Sarswati Devi, aged about 40 years, Gender-Female, Wife of Bhushan Sah,
Resident of Village- Sugauli Kanu Tola, Ward No. 15, P.S.- Sugauli, District-
East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sugauli
P.S. Case No. 38 of 2024 instituted for the offences punishable
under Sections 414, 413, 420, 467 and 468/34 of the Indian
Penal Code.

3. As per the prosecution case, alleged stolen vehicle
has been recovered from the house of co-accused Rajan Kumar
and further it has been alleged that the petitioner was also
present at the house of the said co-accused and he is alleged to
have involved in sale and purchase of stolen vehicle.

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 alleged that the stolen Bolero Vehicle has been recovered from the house of co-accused Rajan Kumar and further it has been alleged that the petitioner was also present at the house of the said co-accused and she is also alleged to have involved in sale and purchase of the stolen vehicle. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 27.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Sessions Judge, East Champaran, Motihari dated 22.02.2024, the alleged stolen vehicle has been recovered from the house of co-accused Rajan Kumar and petitioner was also present at the house of the said co-accused and the alleged vehicle has not been recovered from the conscious possession the petitioner. Similarly situated co-accused person namely Anil Pandit has been granted bail by this Court in Cr. Misc. No. 22379 of 2024 vide order dated 03.04.2024, 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



Chief Judicial Magistrate, East Champaran at Motihari in connection with Sugauli P.S. Case No. 38 of 2024.

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 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)

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