

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23656 of 2024

Arising Out of PS. Case No.-63 Year-2019 Thana- BELCHHI District- Patna

Mukesh Yadav @ Sunil Kumar, aged about 24 years, Male, Son of Late Rampyare Yadav, Resident of Village- Bhathiyar, P.S. O.P.- Gokulpur, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, 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 Belchi P.S. Case No. 63 of 2019 instituted for the offences punishable under Section 394 of the Indian Penal Code.

3. As per the prosecution case, allegation against this petitioner is to have snatched Rs. 20,000/- along with other articles from the informant.

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 only on the basis of suspicion. He further submits that petitioner is not named in the FIR and he has been made accused on the basis of confessional



statement of co-accused Kunal Kumar. Nothing has been recovered from the conscious possession of the petitioner and till date no Test Identification Parade has been conducted. Petitioner is in custody since 06.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional District and Sessions Judge-1st, Barh, Patna dated 01.03.2024, it appears that the petitioner has been made accused only on the basis of confessional statement of co-accused Kunal Kumar, who has also been granted bail by this Court in Cr. Misc. No.16536 of 2024 vide order dated 22.03.2024, 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 S.D.J.M., Barh, Patna in connection with Belchi P.S. Case No. 63 of 2019.

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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