

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23686 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- MURLIGANJ District- Madhepura

1. Birendra Chaurasiya Son Of Raghunandan Chaurasiya Resident Of Village-Sheikhpura, Ps- Udakishunganj, Dist- Madhepura
2. Rakesh Chaurasiya @ Rakesh Kumar Son Of Digal Chaurasiya Resident Of Village- Chharapatti, Ps- Udakishunganj, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Mohan Singh, Adv.

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

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

2. The petitioners seeks bail in connection with
Murliganj P.S. Case No.07 of 2024 registered for the offence
under Sections 406, 409, 420, 120B and 379 of the Indian Penal
Code.

3. Allegation against the petitioners and other
co-accused is to have misappropriate and criminal breach of
trust with regard to carrying 24 ton 28 kilograms of paddy worth
of Rs.5,50,000/- by truck bearing registration no. WB23C5469
for Atiyawari, where the driver Umesh Sah and others under a
conspiracy escaped with total paddy elsewhere.



4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners have falsely been implicated in the present case. It is submitted that one of the co-accused has already granted bail by the Co-ordinate Bench of this Court vide order dated 21.03.2024 passed in Cr. Misc. No. 18861 of 2024 and another co-accused has also granted bail by the trial court in order dated 23.01.2024 passed in B.P. No. 138 of 2024. It is further submitted that petitioners are in custody since 06.01.2024. Petitioners have got no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the facts and circumstances and submissions made on behalf of the petitioners, let the petitioners, above named, is directed to be released on bail, ***after framing of the charge***, in connection with Murliganj P.S. Case No. 07 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhepura.

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 petitioners shall be released on bail on furnishing bail bond with further condition that the petitioners have to present physically on each and every date before the Trial Court till conclusion of trial and if the petitioners would absent for two consecutive dates without any cogent reason, the bail bonds of the petitioners shall be cancelled by the learned trial court itself.

(Ramesh Chand Malviya, J)

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