

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23514 of 2024

Arising Out of PS. Case No.-195 Year-2023 Thana- HARSIDHI District- East Champaran

Subhash Sahani, Male, aged about 25 years, Son of Ramsagar Sahani
Resident of Village- Kobeya, P.S.- Harsidhi, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

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

ORAL ORDER

2 15-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Harsidhi P.S. Case No.195 of 2023 registered for the offence
under Sections 392 of the Indian Penal Code.

3. Allegation against the petitioner along with
other co-accused persons is to have taken away mobile phones
and Splendor Plus Motorcycle bearing registration no.
BR05AP8880 belongs to the informant, on the point of arms.

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 named surfaced from his self confessional



statement as recorded in another case. It is submitted nothing incriminating article has been recovered from the possession of this petitioner. It is also submitted that no TIP has been conducted, during course of investigation. It is further submitted that petitioner is in custody since 09.04.2023.

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 Harsidhi P.S. Case No.195 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 Judicial Magistrate, 1st Class, Motihari, East Champaran.

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 after release physically on



each and every date before the Trial Court till conclusion of trial
and if the petitioner would absent for two consecutive dates
without any cogent reason, the bail bonds of the petitioner shall
be cancelled by the learned trial court itself.

(Ramesh Chand Malviya, J)

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