

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23244 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- NATWAR District- Rohtas

Chulbul Kumar @ Amit Kumar, Male, aged about 21 years, Son Of Rang Bahadur Singh, resident of village - Parstampur, Police Station - Natwar, District - Rohtas at Sasaram

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 25671 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- NATWAR District- Rohtas

1. Pintu Kumar, Male, Aged About 27 Years, Son Of Jalendhar Singh, Resident Of Village- Parstampur, PS- Natwar, Dist- Rohtas a t Sasaram
2. Avinash Kumar, Male, aged about 26 years, Son Of Satendra Prasad, Resident Of Village- Girdhariya, PS- Dinara, Dist- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 23244 of 2024)
For the Petitioner/s : Mr. Lalbahadur Singh, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 25671 of 2024)
For the Petitioner/s : Mr. Radha Krishna, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in a case registered
for the offence under Section 411 of the Indian Penal Code.



3. As per the prosecution case, it is a case of theft of a motorcycle.

4. Learned counsel for the petitioners have submitted that petitioners have falsely been implicated in this case. He next submits that there is no recovery from the possession of the petitioners and they are in custody since 03.02.2024.

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

6. On perusal of the first information report and impugned orders dated 28.02.2024/06.03.2024, it appears that petitioners and other co-accused persons apprehended at the spot with stolen articles and one motorcycle bearing registration no.BR-24X-1582 from the possession of the petitioners and no independent witness of seizure as appears from the FIR. Petitioners are in custody since 03.02.2024 and petitioners have got clean antecedent as stated in para-3 of the petition, so considering all the circumstances, I am inclined to grant bail to the petitioners. Accordingly, let the petitioners, above named, be directed to be released on bail *after framing of the charge* 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 SDJM, Bikramganj, under district- Rohtas in connection with Natwar (Semra O.P.) P.S. Case No. 26 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 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 the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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