

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26033 of 2024

Arising Out of PS. Case No.-168 Year-2023 Thana- HATHAURI District- Muzaffarpur

Nikky Kumar @ Nikki Kumar Son of Chulhai Sahni R/o Village- Karnpur
Dakshini Ward no.5, P.S.- Bochaha, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Arun Kumar

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

ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Hathori P.S Case No. 168 of 2023 registered for the offences
punishable under Sections 379 of the I.P.C.

3. As per prosecution case, unknown person stolen the
motorcycle of the informant.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is also
submitted that petitioner is in judicial custody since 30.08.2023.

5. However, learned APP for the State oppose the
prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order, it appears
that name of the petitioner surfaced from the confessional



statement of the co-accused, no incriminating articles recovered from the possession of the petitioner moreover, no TIP conducted during investigation and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M-1st class, East Muzaffarpur in connection with Hathori P.S Case No. 168 of 2023.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the 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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