

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25279 of 2024

Arising Out of PS. Case No.-893 Year-2023 Thana- KOTWALI District- Patna

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Anil Kumar Sinha @ Anil Paswan, Gender-Male, age 40 years, Son of Jatan Paswan, Resident of Tufanganj, P.S. - Rahui, O.P. - Bhagan Bigha, District – Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate
		Ms. Harshita, Advocate
		Mr. Amit Narayan, Advocate
		Mr. Abhigyan Kumar, Advocate
For the Opposite Party/s	:	Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Kotwali P.S. Case No. 893 of 2023 instituted for the offences punishable under Sections 356 and 379 of the Indian Penal Code.

3. As per the prosecution case, the informant gave a written report to SHO Kotwali stating therein that two persons came to him and started talking with him and in that course, the accused persons took away informant's bag in which Rs. 11,000/-, Aadhar Card, Pan Card, Cheque Book of SBI and Bank of Baroda were kept.



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. Nothing incriminating has been recovered from the possession of the petitioner nor any supporting material is available against the petitioner. There is no direct and specific allegation against the petitioner. Petitioner is in custody since 05.01.2024.

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-10th, Patna dated 28.02.2024, it appears that on the basis of written report of the informant, FIR has been lodged under Sections 356 and 379 of the Indian Penal Code against unknown persons. The name of the petitioner surfaced due to mobile location and there is no any recovery from the possession of the petitioner, 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 Chief Judicial Magistrate, Patna in connection with Kotwali P.S. Case No. 893 of 2023.

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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