

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23908 of 2024

Arising Out of PS. Case No.-904 Year-2023 Thana- CHAPRA TOWN District- Saran

SANTOSH MAHTO SON OF SHIVNATH MAHTO Resident of Village -
Sahebganj Purbi Dahiyawan, Ward No. 28, Police Station - Nagar Town,
District - Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Harshvardhan, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail registered for the
offence under Section 379 of the IPC.

3. As per allegation in the FIR, it is a case of theft of
a bike of the informant bearing registration No. BR-04K 0125
by the petitioner alongwith other co-accused person.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing has been recovered from the possession of
the petitioner. He further submits that the petitioner was not
arrested on spot and the petitioner is not named in the FIR. He
further submits that the house from where the bike was
recovered belongs to 7 brothers including the petitioner.



Petitioner is in custody since 12.01.2024.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. Considering the aforesaid facts and circumstances of the case, 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 learned Additional Chief Judicial Magistrate, Saran at Chapra in connection with Nagar Town P.S. Case No. 904 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 proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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