

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26610 of 2024

Arising Out of PS. Case No.-1027 Year-2023 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

=====

Pawan Kumar, Male, aged about 25 years, son of Indradev Rai @ Inderdev
Ray Vill- Ratwara majhauri, Dharamdas Ps- Sadar Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Meena Singh

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

ORAL ORDER

2 16-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Town P.S. Case No.1027 of 2023 registered for the offence
under Sections 379, 511, 401 of the Indian Penal Code and
subsequently Sections 411 and 414/34 of the Indian Penal Code
was added.

3. Allegation against the petitioner is to have in
possession of one stolen motorcycle.

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 name surfaced during course of investigating on



the basis of confessional statement of arrested co-accused person, namely, Rajan Kumar. It is submitted that one stolen motorcycle has been recovered from the possession of this petitioner, where, he has no knowledge about the motorcycle that the same is stolen one. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 20.12.2023.

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 Town P.S. Case No.1027 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, East, Muzaffarpur.

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 after release the petitioner have to present 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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