

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24098 of 2024

Arising Out of PS. Case No.-120 Year-2023 Thana- BIND District- Nalanda

Rohit Kumar Son Of Anil Singh Resident Of Village - Maulanabigha, Police
Station - Sare, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Sharma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

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

2. The petitioner seeks regular bail in connection with
Bind P.S. Case No. 120 of 2023 registered for the offence under
Section 392 of the IPC.

3. As per the prosecution case, two persons on bullet
motorcycle overtook the informant and on point of desi katta
looted Rs. 21,000/-, one mobile phone and a motorcycle bearing
registration No. BR01BT 9066.

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.

5. However, learned APP for the State vehemently



opposed the prayer for regular bail.

6. On perusal of FIR and impugned order dated 19.02.2024, it appears that the petitioner is not named in the FIR and FIR was registered on the basis of written report of the informant Kaushal Kumar under Section 392 of the IPC. The name of the petitioner has been surfaced on the confessional statement of co-accused Kaushal Kumar and during investigation one bullet motorcycle bearing registration No. BR01FD 2467 was used in the concerned incident. There is no independent witness of the seizure list.

7. 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 Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bind P.S. Case No. 120 of 2023.

8. 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 trial of this case and if the petitioner remain absent on two consecutive dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the trial Court itself.

(Ramesh Chand Malviya, J)

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