

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25296 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- TAJPUR District- Samastipur

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Ansu Kumar Sharma @ Ansu Sharma @ Anshu Kumar Sharma @ Anshu Kumar, aged about 21 years, Gender-Male, Son of Akhilanand Sharma, Resident of Village - Morwa Rai Tol, P.S. - Musarigharari, District – Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, 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 Tajpur (Halai O.P.) P.S. Case No. 12 of 2024 instituted for the offences punishable under Sections 411,414/34 of the Indian Penal Code.

3. As per the prosecution case, one motorcycle and mobile phone were recovered from the possession of the petitioner.

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. It is submitted that the petitioner has no concern with the alleged occurrence yet he has



been dragged in this case. He further submits that neither incriminating nor looted articles have been recovered from the conscious possession of the petitioner. He next submits that petitioner by profession I.T.I and is doing job, but in course of holiday he came to village and has been dragged in this case. Petitioner is in custody since 11.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Sessions Judge, Samastipur dated 29.02.2024, it appears that the allegation against the petitioner is of selling and purchasing of stolen motorcycle and mobile phone. No incriminating articles have been recovered from the conscious possession of the petitioner and he is by profession I.T.I and doing job, 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 Additional Chief Judicial Magistrate-I, Samastipur in connection with Tajpur (Halai O.P.) P.S. Case No. 12 of 2024.

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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