

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32896 of 2024

Arising Out of PS. Case No.-474 Year-2022 Thana- RUPASPUR District- Patna

Deepak Kumar @ Putki S/o Late Raju Choudhary R/o Village Loha Ka pool
Patna City PS Mehandiganj Dist Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kailash Prasad Swarnkar, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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

ORAL ORDER

3 21-06-2024 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner is in custody in connection with
Rupaspur P.S. Case No. 474 of 2022 registered for an offence
punishable under Sections 457 and 380 of the Indian Penal
Code.

3. As per allegation in the FIR, it is a case of stolen
some cash and ATM Card by the accused persons from the flat
of the informant.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He submits
that petitioner is not named in the FIR and his name surfaced
from the confessional statement of co-accused and no test
identification parade has been held till today. Petitioner is in
custody. He next submits that similarly situated co-accused has
already been granted bail by a Co-ordinate Bench of this Court



passed in Cr. Misc. No. 12060 of 2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Under the aforesaid facts and circumstances, let the above named petitioner be released on bail *after framing of the chargesheet* on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ajay Kumar, Judicial Magistrate-Ist Class, Danapur, Patna/concerned Court in connection with Rupaspur P.S. Case No. 474 of 2022.

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 the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of trial.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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