

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24399 of 2024

Arising Out of PS. Case No.-203 Year-2023 Thana- KORHA District- Katihar

Arvind Kumar @ Arbind Kumar, aged about 21 years, Male Son of Amit Sharma, Resident of Village- Garbhanaili, P.S.- Kasba, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 05-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Korha P.S. Case No. 203 of 2023 instituted for the offences punishable under Section 392 the Indian Penal Code.

3. As per the prosecution case, two miscreants on motorcycle stopped informant and his partners and on fear of arms took away Rs. 42,000/- from the possession of the informant. The miscreants also snatched the mobile of the driver and key of the vehicle and threw it into the bush thereafter they also took away Rs. 35,000/- from Santosh Sah and Chandan Sah.

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 only on the basis of suspicion. Petitioner is not named in the FIR. The name of the petitioner has been surfaced in the confessional statement of accused person in another case. Petitioner has not been put on Test Identification parade and nothing has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 08.12.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned A.D.J.-I-cum-Special Judge SC/ST, Katihar dated 08.02.2024, it appears that the FIR has been lodged against unknown persons and the name of the petitioner has been surfaced from confessional statement of co-accused in another case and investigation has already been concluded as stated by learned counsel for the petitioner, 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 Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 203 of 2023.

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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