

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24897 of 2024

Arising Out of PS. Case No.-513 Year-2023 Thana- PARBATTa District- Khagaria

Uday Kumar son of Vinod Poddar Village- Maraiya Ps- parbatta Dist-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Shyameshwar Dayal, 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 Parbatta (Maraiya) P.S. Case No. 513 of 2023 instituted for the offences punishable under Sections 461 and 379 of the Indian Penal Code and the Court has been taken cognizance under Sections 461, 411, 379, 414/34 of I.P.C.

3. As per the prosecution case, some unknown miscreants have committed theft of electronic goods from the shop of the informant which includes printer machine, lamination machine, two mobiles, laptop charger, key board, mouse and cash of Rs. 1,0110/-.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to dirty village politics. He is not named in the F.I.R. Nothing incriminating or theft article has been recovered from the conscious possession of the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 14.11.2023.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R., seizure list and impugned order dated 02.02.2024, it appears that on the basis of written report of informant F.I.R. registered against unknown persons. On perusal of impugned order, it appears that during investigation, some stolen articles have been recovered from the shop of the petitioner but till date the I.O. has not put up the said stolen articles on T.I. Parade. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C., 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 S.D.J.M., Khagaria in



connection with Parbatta (Maraiya) P.S. Case No. 513 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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