

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24919 of 2024

Arising Out of PS. Case No.-652 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

Amarjit Kumar Gupta, aged about 32 years, Male Son of Laxman Sah,
Resident of Village- Kadwa, P.S.- Nokha, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uma Shankar Singh, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sasaram (M) P.S. Case No. 652 of 2023 instituted for the
offences punishable under Section 392 of the Indian Penal
Code.

3. As per the prosecution case, accused persons
including the petitioner stopped the scooty of the informant and
threatened to kill him, if they do not fulfill their demand and out
of them one accused snatched the mobile from the pocket of the
informant.

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 mere



suspicion. He further submits that no incriminating articles have been recovered from the conscious possession of the petitioner. Petitioner is not named in the FIR and has been arrested on the basis of mere suspicion. He has not put on Test Identification Parade and there is no cogent material on record to justify the involvement of the petitioner in the present case. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 10.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional District and Sessions Judge-III, Rohtas at Sasaram dated 05.03.2024, it appears that petitioner is not named in the FIR and his name surfaced from the confessional statement of a co-accused. Nothing has been recovered from the conscious possession of 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, Sasaram in connection with Sasaram (M) P.S. Case No. 652 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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