

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25256 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- ROSHANGANJ District- Gaya

Shekhar Saw @ Chandra Shekhar Kumar, aged about 32 years, Male Son of
Rajkumar Saw, Resident of Village Tandwa P.S. Banke Bazar District- Gaya.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

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

**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
Roushanganj (Bankebazar) P.S. Case No. 334 of 2023, instituted
for the offences punishable under Sections 414, 461, 379 of the
Indian Penal Code.

3. As per the prosecution case, the informant namely
Pradeep Paswan parked his truck bearing registration no. BR-
02M-8948 in front of Ram Timber and went to his home. It is
further stated that when he came to his home in early morning
then he saw the main lock of his vehicle is broken and after
searched he found that articles like jack, rinch and 100 liters of
oil has been stolen. It is further stated that these articles are
being stolen recorded in the C.C.T.V. camera near the place of



occurrence.

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. He further submits that the petitioner has neither arrested at the spot nor anything has been recovered from his conscious possession. However, some recovery has been made from the house of co-accused Manish Paswan and the recovery does not corroborates the allegation. Petitioner has got no criminal antecedent as stated in para 3 of the petition is in custody since 15.12.2023.

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, Sherghati, Gaya dated 07.03.2024, it appears that on the basis of written report of the informant Pradeep Paswan, FIR has been lodged under Sections 461 and 379 of the Indian Penal Code against the petitioner. All stolen articles were recovered from the house of accused Manish Kumar and there is no any specific allegation against this petitioner as well as period of custody, 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 Judicial Magistrate-1st Class, Sherghati, Gaya in connection with Roushanganj (Bankebazar) P.S. Case No. 334 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)

Anand Kr.

U		T	
---	--	---	--

