

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26956 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- KALYANPUR District- East Champaran

Kundan Kumar, aged about 21 year (M) Son of Uma Ram, Resident of
Village- Madhurapur, P.S.- Pipra, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

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

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kalyanpur P.S. Case No. 44 of 2024 instituted for the offences punishable under Sections 413 and 414/34 of the Indian Penal Code.

3. As per the prosecution case, one stolen mobile phone and one stolen motorcycle having without registration number have been recovered from the accused persons.

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 entire allegation against



the petitioner is false concocted. In course of investigation no any direct or indirect evidence has been found against the petitioner to connect in the crime. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 12.02.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order dated 18.03.2024, it appears that there is no specific allegation against the petitioner and no any independent witness of the seizure list as well as no criminal antecedent as stated in para 3 of the petition, 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 A.C.J.M.-4th Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 44 of 2024.

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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