

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28093 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

Bishal Kumar @ Vishal Kumar son of Ashok Prasad Village- Pareo PS- Bihta
Distt- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Dular Sah
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Ara Muffasil P.S. Case No. 08 of 2024 registered for the offence
under Section 392 of the IPC.

3. As per allegation in FIR, it is a case of loot of
motorcycle bearing registration No. BR03T5784 and a mobile
phone of the informant by the petitioner alongwith co-accused
persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing has been recovered from the possession of
the petitioner. He further submits that the petitioner has no
criminal antecedent as stated in para 3 of the application and is



in custody since 22.01.2024.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, seizure list and impugned order dated 06.03.2024, it appears that on the basis of written report of the informant FIR was lodged against unknown person. During investigation looted motorcycle was recovered from the possession of the petitioner and the petitioner is in custody since 22.01.2024.

7. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, 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 learned 7th Additional Chief Judicial Magistrate, Ara in connection with Ara Muffasil P.S. Case No. 08 of 2024 with further condition that after release the petitioner shall remain present before the trial Court on each and every date fixed by the trial Court and one of the bailors must be a close relative of the petitioner.

9. The trial court is also directed to conclude the proceeding of framing of charge according to law within a



period of 15 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 the above conditions and he shall be present physically on each and every date before the trial court till conclusion of trial of this case and if the petitioner remain absent on two consecutive dates without any cogent reason, the bail bonds of the petitioner shall be cancelled by the trial Court itself.

(Ramesh Chand Malviya, J)

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