

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27512 of 2024

Arising Out of PS. Case No.-135 Year-2023 Thana- CHAKIA District- East Champaran

Nitish @ Nitish Mishra S/o- Manoj Mishra @ Manoj Kumar Mishra Village-
Bhada PS- Harsidhi District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Rajendra Prasad Nat

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

ORAL ORDER

2 20-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Chakia P.S Case No. 135 of 2023 registered for the offences
punishable under Sections 395, 397 of the I.P.C.

3. As per prosecution case, four miscreants looted Rs.
48,03,760/- from the bank on gunpoint.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is also
submitted that petitioner is in judicial custody since 16.01.2024.

5. However, learned APP for the State oppose the
prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order, and



submission made by the petitioner it appears that petitioner is not named in FIR his name surfaced from the confessional statement of the co-accused person, no recovery was made from the possession of the petitioner, no TIP conducted during investigation and also considering the aforesaid facts, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Chakia P.S Case No. 135 of 2023.

7. The trial court is 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 the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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