

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27635 of 2024

Arising Out of PS. Case No.-273 Year-2023 Thana- SAMASTIPUR District- Samastipur

MD. SAN @ MD. SAAN S/O MD ISARAIL @ MD. ISRAIL R/O
VILLAGE- MATHURAPUR, P.S- WARISNAGAR, DISTT.-
SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Suman Kumari Singh

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 seeks regular bail in connection with
Samastipur Town P.S. Case No. 273 of 2023 registered for the
offence under Sections 379 and 411 of the IPC.

3. As per allegation in the FIR, the petitioner after
committing theft of a motorcycle tried to flee away then the
informant after chasing him caught the petitioner with
motorcycle and handed over to police.

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 is in custody



since 13.10.2023.

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

6. On perusal of the FIR, impugned order dated 22.02.2024, it appears that the petitioner was arrested with the said stolen motorcycle at the place of occurrence and is in custody since 13.10.2023.

7. Considering the aforesaid facts and circumstances of the case and period of custody, 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 Chief Judicial Magistrate, Samastipur in connection with Samastipur Town P.S. Case No. 273 of 2023.

8. 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 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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