

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29241 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- SUGAULI District- East Champaran

Rajan Kumar Son Of Omkarnath @ Omkarnath Gupta Resident Of Sugauli
Bazar, Ward No.8, P.S. - Sugauli, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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

ORAL ORDER

3 20-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with
Sugauli P.S Case No. 38 of 2024 registered for the offences
punishable under Sections 414, 413, 420, 467 and 468/34 of
the I.P.C

3. As per prosecution case, alleged stolen vehicle
has been recovered from the house of petitioner Rajan
Kumar and further it is alleged that petitioner has involved
in sale and purchase of the stolen vehicle.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is



further submitted that no incriminating article recovered from the conscious possessions of the petitioner. It is also submitted that one of the co-accused has already granted bail by the Co-ordinate Bench of this Court *vide* order dated 03.04.2024 passed in Cr. Misc. No. 22379 of 2024. It is next submitted that petitioner has got no criminal antecedent as stated in para 3 of the bail petition. It is also submitted that petitioner is in judicial custody since 27.01.2024.

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 period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, 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 Sugauli P.S Case No. 38 of 2024.

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. Further, Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the trial court till conclusion of the trial and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bonds

(Ramesh Chand Malviya, J)

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