

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29169 of 2024

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

Prabhat Kumar @ Pradeep Kumar Khuswaha @ Pradeep Kushwaha Son of
Harichandra Prasad @ Harish Chandra Prasad Resident of Village- Dihu Tola,
Ward No. 09, P.S.- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha.1, 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 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 next submitted that one of the co-accused has been



granted bail by the Co-ordinate Bench of this Court vide order dated 20.04.2024 passed in Cr. Misc. No. 27512 of 2024. 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 Judicial Magistrate- 1st Class, 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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