

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30517 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Nagendra Baitha S/O Late Jagarnatha Baitha R/O Village- Barwa, P.S-
Lakhaura, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar
For the Opposite Party/s : Mr.Umeshanand Pandit

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

ORAL ORDER

2 25-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with

Muffasil (Lakhaura) P.S Case No. 78 of 2024 registered for

the offences punishable under Sections 413 and 414 of the

I.P.C.

3. As per prosecution case, one tempo and two

motorcycle were recovered from the scrap shop of the

petitioner which are alleged to be stolen.

4. Learned counsel for the petitioner submits that

petitioner has falsely been implicated in this case. It is next

submitted that the seized tempo and motorcycles are old and



damaged, which are sold by its respective owner, but the police in spite of having knowledge of this fact, started blackmailing the petitioner and extorting him and when the petitioner did not oblige, the police lodged this false case. It is further submitted that petitioner got no criminal antecedent. It is also submitted that petitioner is in judicial custody since 15.02.2024.

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, Motihari, East Champaran in connection with Muffasil (Lakhaura) P.S Case No. 78 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.

(Ramesh Chand Malviya, J)

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