

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31036 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- SANDESH District- Bhojpur

Sandeep Kumar @ Sandeep Thakur, aged about 24 years, Male, Son of Chhotan Thakur, Resident of Village- Khandaul, P.S.- Sandesh, District- Bhojpur, Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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 seeks bail in connection with Sandesh P.S. Case No. 7 of 2024 instituted for the offences punishable under Sections 457 and 380 of the Indian Penal Code.

3. As per the prosecution case, some unknown persons stolen away one Led TV of LG Company, one battery, one inverter, one CPU, one keyboard, one computer, one remote and one UPS battery by breaking the wall of the school.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. The name of the petitioner



has been surfaced only on the basis of self confessional statement of the petitioner. There is no any Test Identification Parade till date. Petitioner has got no criminal antecedent as stated in para 3 of the petition is in custody since 26.02.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional District and Sessions Judge-Xth, Bhojpur at Ara dated 28.03.2024, it appears that the seized articles have been recovered from the possession of the petitioner but he has been made accused only on the basis of self confessional statement, accordingly the prayer for bail of the petitioner is allowed. 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 the learned Judicial Magistrate-1st Class, Bhojpur at Ara in connection with Sandesh P.S. Case No. 07 of 2024.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen 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 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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