

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36987 of 2024

Arising Out of PS. Case No.-412 Year-2023 Thana- GURUA District- Gaya

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Vishal Kumar Son of Pramod Das Resident of Village - Devanchak,
Mangrawa, P.S.- Guraru, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

2 21-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Gurua P.S. Case No. 412 of 2023 registered for the
offences punishable under Section 392 of the Indian
Penal Code.

3. As per prosecution case, when the informant
was returning after collecting the money, on the way
four unknown persons on gun point snatched his bag, in
which total Rs.3,715/- was kept along with other
articles.

4. Learned counsel for the petitioner submits



that petitioner has falsely been implicated in this case. He further submits that there is no recovery from the conscious possession of the petitioner and the petitioner surfaced in this case on the basis of the confessional statement of the co-accused person made before the police. He further submits that the petitioner is in custody since 07.11.2023 and similarly situated co-accused persons have already been granted bail by this court passed in Cr. Misc. Nos. 12358 of 2024 and 13254 of 2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances 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 to the satisfaction of learned Judicial Magistrate, 1st Class, Sherghatti, Gaya in connection



with Gurua P.S. Case No. 412 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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