

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32654 of 2024

Arising Out of PS. Case No.-264 Year-2023 Thana- VAISHALI District- Vaishali

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Golu Kumar Rai @ Nitish Kumar Virendra Rai @ Birendr Ray Resident of
Village- Sarariya, P.S- Lalganj, Dist- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

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

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with
Vaishali P.S. Case No. 264 of 2023 registered for the
offence under Section 395 of the IPC.

3. As per prosecution case, it is a case of dacoity of a
Bolero Vehicle loaded with Mango from Hariom Mandi,
Lalganj Bypass bearing registration No. BR-01GM-5416.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing has been recovered from the
conscious possession of the petitioner and from where he



resides. It is next submitted that one of the co-accused is granted bail by the Co-ordinate Bench of this Court vide order dated 18.03.2024 passed in Cr. Misc. No. 81023 of 2023. He is custody since 30.01.2024.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, it appears that the petitioner is not named in the FIR and his name surfaced from the confessional statement of other co-accused person Md. Shamshad and charge sheet has already been submitted in this case and no Test Identification Parade was conducted.

7. Considering the aforesaid facts and circumstances of the case and also taking into account the period of custody, let the petitioner, abovenamed, 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 learned Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 264 of 2023.

8. 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 framing of charge.

(Ramesh Chand Malviya, J)

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