

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36760 of 2024

Arising Out of PS. Case No.-173 Year-2023 Thana- PUPRI District- Sitamarhi

1. Sukhari Raut Son Of Vishwanath Raut Resident Of Village -Chand Parsa P.S. - Kesariya District- East Champaran
2. Ajay Kumar Sahni Son Of Wakil Sahani Resident Of Village -Chand Parsa P.S.- Kesariya District- East Champaran
3. Shashi Kumar Singh Son Of Ramesh Singh Resident Of Village -Chand Parsa P.S.- Kesariya District- East Champaran
4. Raushan Kumar Son Of Naresh Sahani Resident Of Village -Chand Parsa P.S. - Kesariya District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners seek regular bail in connection with

Pupri Police Station Case No. 173 of 2023 registered for the

offence under Section 392 of the IPC.

3. As per allegation in the FIR, on 24.04.2023 at

about 12:00 noon, two motorcycle riders / miscreants restrained

the informant from his front side after chasing him at Jhajhaihat

chowk near transformer, when he was returning from Pupri after

withdrawal of Rs. 50,000/- from Punjab National Bank, Pupri.

The aforesaid two miscreants threatened the informant on gun



point to hand over the cash otherwise, they will kill the informant. It is further alleged that the informant handed over Rs. 50,000/- to the miscreants due to fear of death and after robbing the informant, the two motorcycle born miscreants fled away by their motorcycle.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Nothing has been recovered from the possession of the petitioners. He further submits that the name of petitioners surfaced from the confessional statement of arrested co-accused persons, namely, Arvind Kumar Singh and Vivek Sahani. He next submits that no TIP conducted by the Investigating Officer during investigation. Investigation is already concluded and charge sheet has already been submitted in this case. Petitioners are in custody since 30.05.2023.

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

6. Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail ***after framing of charge*** on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with



Pupri P.S. Case No. 173 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 proceeding of framing of charge is not concluded within the stipulated time, then the petitioners 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 proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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