

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32033 of 2024

Arising Out of PS. Case No.-652 Year-2023 Thana- SASARAM MUFFSIL District- Rohtas

Teju Kumar @ Teju Diwana son of Shiv Shankar Ram Resident of Village-
Nawadih, Police Station- Nokha, Dist.-Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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

ORAL ORDER

3 20-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sasaram (M) P.S. Case No. 652 of 2023 instituted for the offences punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution case, accused persons including the petitioner stopped the scooty of the informant and threatened to kill him, if they do not fulfill their demand and out of them one accused snatched the mobile from the pocket of the informant.

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 only on the basis of mere suspicion. He further submits that no incriminating articles have been recovered from the conscious possession of the petitioner. Petitioner is not named in the FIR and he has been arrested on the basis of mere suspicion. It is next submitted that one of the co-accused person is granted bail by the Co-ordinate Bench of this court vide order dated 08.04.2024 passed in Cr. Misc. No. 24919 of 2024. He has not put on Test Identification Parade and there is no cogent material on record to justify the involvement of the petitioner in the present case. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 10.01.2024.

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-III, Rohtas at Sasaram dated 05.03.2024, it appears that petitioner is not named in the FIR and his name surfaced from the confessional statement of a co-accused. Nothing has been recovered from the conscious possession of the petitioner, 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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) P.S. Case No. 652 of 2023.

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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