

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35917 of 2024

Arising Out of PS. Case No.-77 Year-2023 Thana- KISHANGANJ District- Kishanganj

Nehal Kumar Ray @ Nihal Kumar Ray Son Of Shambhu Ray Resident Of
Village- Dharamganj, Majhia Road, P.S.- Kishanganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

**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 bail in a case

registered for the offence under Section 379 of the

Indian Penal Code.

3. As per allegation in the FIR, it is a case

of theft of gold/silver items as well as cash of

Rs.12,000/- of the informant by the accused persons.

4. Learned counsel appearing on behalf of

the petitioner submits that petitioner has falsely been

implicated in this case and there is no recovery from the

conscious possession of the petitioner. He next submits



that the bail of the petitioner was rejected by the learned trial court due to petitioner having five criminal antecedent. Petitioner is in not named in the FIR and he is in custody since 09.05.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail **after framing of the charge** in connection with Kishanganj P.S. Case No. 77 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Kishanganj.

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 above named petitioner shall be released on bail on furnishing



bail bond with further condition that the petitioner has
to present physically on each and every date before the
Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

Brajesh
Kumar/Vinayak

U		T	
---	--	---	--

