

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38083 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- RAFIGANJ District- Aurangabad

Dhananjay Kumar @ Dhanjay Kumar Son of Surendra Paswan Resident of
Village- Kona , P.S- Rafiganj, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate
For the State : Mr. Abhay Kumar, APP

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

ORAL ORDER

2 22-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with Rafiganj P.S. Case No. 85 of 2024 registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code.

3. As per prosecution case, the police on secret information raided the house of the petitioner and seized two stolen motorcycles bearing Reg. No. BR44B4779 and Reg. No. BR26Q8657 and no relevant documents has been produced by the petitioner related to these motorcycles.



4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has surfaced in this case on the basis of suspicion of police and there is no independent witness of seizure list and it is not disclosed who is the real owner of the aforesaid motorcycles. He further submits that the petitioner having clean antecedent and he is in custody since 14.03.2024.

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

6. On perusal of the First Informant Report, impugned order dated 16.04.2024 and seizure list and period of custody and also considering the aforesaid facts and circumstances of the case 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 A.C.J.M. IV, Aurangabad in



connection with P.S. Case No. 85 of 2024.

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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