

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35641 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- KUMAR KHAND District- Madhepura

1. Md. Chhotu S/o Late Mehdi Hussain R/o vill - Laxmipur, Chandi Asthan, ward no. 4, P.S. - Kumar Khand, Distt.- Madhepura
2. Md. Pappu S/o Late Mehdi Hussain R/o vill - Laxmipur, Chandi Asthan, ward no. 4, P.S. - Kumar Khand, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

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

learned APP for the State.

2. The petitioners seek bail in a case registered

for the offence under Section 394 of the Indian Penal Code.

3. As per the prosecution case, the accused persons along with petitioners armed with country made pistol, stopped the informant's motorcycle and looted Vivo mobile, along with cash of Rs.6500/- and informant's motorcycle leaving their motorcycle and fled away.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners have falsely been implicated in this case. He next submits that there is no recovery from the possession of the petitioners and the name of the petitioners came on the basis of secret information. Petitioners are in custody since 04.03.2024.



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 petitioners, let the petitioners, above named, are directed to be released on bail **after framing of the charge** in connection with Kumarkhand P.S. Case No. 02 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Ankit Anand, Judicial Magistrate, Ist Class, Madhepura.

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 petitioners shall be released on bail on furnishing bail bond with further condition that the petitioners have to present physically on each and every date before the Trial Court till conclusion of the trial.

(Ramesh Chand Malviya, J)

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Kumar/Vinayak-

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