

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35939 of 2024**

Arising Out of PS. Case No.-82 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Bipin Kumar Yadav, aged about 18 years, Male Son of Premchand Rai,  
Resident of Village - Dumariya, Police Station - Chapra Mufasil, District –  
Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Krishna Yadav, Advocate

For the Opposite Party/s : Mr. Atul Chandra, 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 connection with Chapra  
Mufassil P.S. Case No. 82 of 2024 instituted for the offences  
punishable under Sections 392 and 411 of the Indian Penal  
Code.

3. As per the prosecution case, some unknown  
miscreants snatched motorcycle, ornaments, mobile phone and  
cash of Rs. 13,000/- of the informant on the point of pistol.

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  
suspicion. It is further submitted that the name of the petitioner



has been brought in the instant case only on the basis of confessional statement of co-accused Rishu Kumar. Nothing has been recovered either from the conscious possession of the petitioner or from his house rather the stolen motorcycle was recovered from the co-accused Rishu Kumar. He next submits that the petitioner has not been put on Test Identification Parade. Petitioner is in custody since 01.03.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Sessions Judge, Saran at Chapra dated 09.04.2024, it appears that petitioner is not named in the FIR. From perusal of the records, it appears that the allegation against the petitioner is of looted motorcycle of the informant. The confessional statement of co-accused Rishu Kumar, confessed his guilt giving detailed description of the occurrence and involvement of the petitioner and his other associates in this crime. Petitioner has not put on Test Identification Parade and has been made accused only on the basis of confessional statement of co-accused Rishu Kumar, 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, Saran at Chapra in connection with Chapra Mufassil P.S. Case No. 82 of 2024.

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 further the petitioner shall be present before the trial Court till conclusion of proceeding of trial.

**(Ramesh Chand Malviya, J)**

Anand Kr.

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