

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39326 of 2024

Arising Out of PS. Case No.-232 Year-2022 Thana- LAURIA District- West Champaran

CHHOTAN PASWAN S/O SRI DEWAKI PASWAN @ DEVAKI PASWAN
R/O VILLAGE- BAKHARIYA, P.S- MAJHAULIA, DISTT.- WEST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Umesh Chandra Verma, Advocate Mr. Hemant Ray, Advocate Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s :	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 12-07-2024

Heard learned counsel appearing on behalf

of the parties.

2. The petitioner seeks bail in connection with Lauriya P.S. Case No.232 of 2022 registered for the offence under Sections 395 of the Indian Penal Code.

3. Allegation against the petitioner is to have committed dacoity alongwith other co-accused persons and while committing so looted cash of Rs. 13,80,000/- belongs to informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case, where, petitioner is not named in



the FIR and his named surfaced during course of investigation on the basis of confessional statement of other co-accused person, namely, Ajit Prasad. It is submitted that nothing has been recovered from the possession of this petitioner. It is submitted that no TIP has been conducted, as yet, where, investigation has already been concluded. It is submitted that similarly situated co-accused persons have already been granted bail by this Court as well as learned co-ordinate Bench of this Court through Cr. Misc. No.19007 of 2024 on 21.03.2024, Cr. Misc. No.32180 of 2023 on 03.07.2023 and Cr. Misc. No.45267 of 2023 on 28.07.2023. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 18.03.2024.

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 petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Lauriya P.S. Case No.232 of 2022 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, West Champaran at Bettah.



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 have to 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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