

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40786 of 2024

Arising Out of PS. Case No.-63 Year-2019 Thana- BELCHHI District- Patna

Pawan Kumar, aged about 33 years, Male Son of Vijay Yadav, Resident of Village- Jodhanbiga, P.S.- Belchhi, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 15-07-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Belchhi P.S. Case No.63 of 2019 registered for the offence under Section 394 of the Indian Penal Code.

3. As per the prosecution case, allegation against this petitioner is to have snatched Rs. 20,000/- along with other articles from the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. He further submits that petitioner is not named in the FIR and his name surfaced in this case only on the basis of confessional statement of co-accused Kunal



Kumar. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. He next submits that petitioner has not arrested at the spot and has not put on Test Identification Parade till date. Petitioner is in custody since 12.04.2024.

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

6. From perusal of the FIR and the impugned order of the learned Additional District and Sessions Judge-Ist, Barh, Patna vide order dated 10.05.2024, it appears that the petitioner has been made accused only on the basis of confessional statement of co-accused Kunal Kumar. Similarly situated co-accused persons namely Kunal Kumar and Mukesh Yadav @ Sunil Kumar have been granted bail by this Court in Cr. Misc. Nos.16536 of 2024 and 23656 of 2024 vide orders dated 22.03.2024 and 19.04.2024 respectively, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Belchhi P.S. Case No.63 of 2019 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Barh, Patna.

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)

Anand Kr.

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

