

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78201 of 2023

Arising Out of PS. Case No.-310 Year-2022 Thana- NAUGACHIA District- Bhagalpur

AJEET KUMAR @ ROSHAN KUMAR, aged about 21 years, Gender-Male,
Son of Late Binod Sah @ Hagna R/o vill - Nayatola, P.S. - Naugachia, Dist. -
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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

ORAL ORDER

3 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Naugachia P.S. Case No.310 of 2022 registered for an offence
punishable under Section 392 of the Indian Penal Code.

3. As per allegation in the FIR, the miscreants
snatched Rs.50,000/- and silver chain from the driver and
Khalasi on the point of fire arms.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and the
petitioner is not named in the FIR and his name came on the
basis of confessional statement of co-accused Aman Kumar.
Petitioner is in custody since 01.03.2023.



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

6. On perusal of the first information report and impugned order dated 09.08.2023, it appears that the petitioner is not named in the FIR and similarly situated co-accused persons have already been granted bail by Co-ordinate Benches of this Court passed in Cr. Misc. Nos.13876 of 2023 and 12041 of 2023, considering which, I am inclined to grant bail to the petitioner. Accordingly, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-I, Naugachia in the District- Bhagalpur in connection with Sessions Trial NO.448 of 2023 arising out of Naugachia P.S. Case No. 310 of 2022.

7. The trial Court is directed to conclude the proceeding of framing of charge according to the law within a period of 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 above conditions and the petitioner 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)

Brajesh Kumar/-

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