

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66177 of 2023**

Arising Out of PS. Case No.-60 Year-2022 Thana- MOHAMMADPUR District- Gopalganj

Gulshan Kumar Singh, aged about 30 years, Gender-Male, Son of Late Chhotan Singh, Resident of Village-Gopalpur, P.S.-Mohammadpur, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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

ORAL ORDER

6      26-02-2024                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Mohammadpur PS Case No. 60 of 2022 instituted for the offences punishable under Sections 363, 511, 354B and 354D of the Indian Penal Code.

3. As per the prosecution case, the allegation against the petitioner is that he forcibly tried to kidnap the minor daughter of the informant and torn her apparel.

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. Learned counsel for the petitioner further submits that there is delay of seven days in



lodging of the FIR for which no explanation has been given in this regard. It is submitted that the informant has taken some money from the petitioner and the petitioner and daughter of the informant were friends and when the petitioner requested to return the money, informant has lodged this false case.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary and impugned order of the learned Xth Additional Sessions Judge, Gopalganj dated 28.06.2023, it appears that the FIR has been lodged after a delay of seven days and investigation is still going on. Petitioner is in custody since 24.05.2023, 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 Additional Chief Judicial Magistrate-VII, Gopalganj in connection with Mohammadpur PS Case No. 60 of 2022.

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 he 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)**

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