

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75173 of 2023

Arising Out of PS. Case No.-27 Year-2023 Thana- TURKAULIYA District- East Champaran

Guddu Sahani, Male, aged about 30 years, son of Late Birendra Sahani,
Resident of Village- Siswa Ajagari P.S.- Banjariya District- East Champaran,
Motihari.

... .. 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. Md. Iftekhar Mahmood, APP

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

ORAL ORDER

3 26-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Turkauliya PS Case No. 27 of 2023 instituted for the offences
punishable under Section 392 of the Indian Penal Code.

3. As per the prosecution case, it is a case of road
robbery in which motorcycle, mobile and Rs. 1,25,000/- were
snatched by the accused persons on the point of firearm.

4. Learned counsel for the petitioner submits that the
petitioner is innocent has committed no offence and has falsely
been implicated in this case due to dirty village politics.
Petitioner is not named in the FIR, not arrested at the spot and
nothing has been recovered from the conscious possession of
the petitioner. In course of investigation petitioner has remanded



in this case on the basis of confessional statement of the petitioner in another case.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary and impugned order of the learned 20th Additional Sessions Judge, East Champaran Motihari dated 31.08.2023, it appears that petitioner is not named in the FIR, neither arrested at the spot nor any incriminating articles have been recovered from the conscious possession of the petitioner and his name surfaced in this case in his own confessional statement in another case. Petitioner is in custody since 25.05.2023, 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 Chief Judicial Magistrate, Motihari, East Champaran, in connection with Turkauliya PS Case No. 27 of 2023.

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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