

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74630 of 2023

Arising Out of PS. Case No.-261 Year-2021 Thana- CHAPRA TOWN District- Saran

Mahesh Kumar @ Mahesh @ Raunak, aged about 26 years, Male, Son Of
Ganesh Singh @ Sunil Kumar Singh, Resident Of Village Balwa Kuari PS
Sadar Hajipur, District Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivanand Singh, Advocate

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

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

ORAL ORDER

5 13-03-2024 As per Office report, CCTV footage has not yet been
received.

2. Heard learned counsel for the petitioner and
learned APP for the State.

3. The petitioner is in custody in connection with
Chapra Town P.S. Case No. 216 of 2021 registered for an
offence punishable under Section 392 of the Indian Penal Code.

4. As per prosecution case, all the accused persons
took away about 238 grams gold, cash of Rs.24,000/- and
5,00,000/- foreign currency from the almirah of the informant.

5. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and he is in
custody since 29.11.2021 and no test identification parade has
been held. Petitioner is not named in the FIR and no
incriminating article has been recovered from the possession of
the petitioner.



6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. Under the aforesaid facts and circumstances, let the above named petitioner be released on bail ***after framing of the chargesheet*** 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 & Sessions Judge, Saran at Chapra in connection with Sessions Trial No.424 of 2023 arising out of Chapra P.S. Case No. 261 of 2021.

8. 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)

Brajesh Kumar/-

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