

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5378 of 2024

Arising Out of PS. Case No.-422 Year-2018 Thana- BARH District- Patna

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Titu Dhamaka @ Chandan Kumar, Gender-Male, aged about 30 years, Son of Baban Singh, Resident Of Village- Jaitpur, Police Station- Barahiya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Barh PS Case No. 422 of 2018 instituted for the offences punishable under Section 414 of the Indian Penal Code.

3. As per the prosecution case, when the police party reached at the place of occurrence, all the accused persons started fleeing away and upon chase three accused persons were caught at the spot by the police.

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. From perusal of the case diary, FIR, seizure list and the bail rejection order of the



learned Additional District and Sessions Judge-1st Barh dated 18.10.2023, it appears that there is no recovery from the possession of the petitioner and his name surfaced from the confessional statement of co-accused, who have arrested at the spot. Petitioner is in custody since 24.05.2023.

5. Learned APP opposes the prayer for bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, 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 A.C.J.M., Barh, Patna in connection with Barh PS Case No. 422 of 2018.

7. However, the trial Court is directed to conclude the proceeding of *framing of charge* according to law within a period of one month from the date of receipt of this order.

(Ramesh Chand Malviya, J)

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