

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8101 of 2024

Arising Out of PS. Case No.-27 Year-2021 Thana- CHANDAUTI District- Gaya

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Rupan Paswan Son Of Late Lakhan Paswan Vill-Krit Nawada, Ps-Chandauti,
Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

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

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with

Chandauti P.S Case No. 27 of 2021 registered for the

offences punishable under Sections 457/380 of the I.P.C.

and later on Section 395 of the I.P.C was added.

3. As per allegation in the FIR, a dacoity was

committed in the house of the informant and cash,

ornaments and mobile phone were taken away by 6-7

dacoits. The name of the petitioner transpired on the

confessional statement of the co-accused.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case. He further submits that petitioner is not apprehended from the spot and nothing incriminating has been recovered from their conscious possession. The petitioner has been falsely implicated in this case on the basis of confessional statement of co-accused Anuj Paswan. In similar condition co-accused granted bail by the Co-ordinate Bench of this Court vide order dated 19.10.2022 in Cr. Misc. No. 62833 of 2021. It is also submitted that petitioner is in judicial custody since 05.06.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- 1st, Gaya in connection with Chandauti P.S Case No. 27 of 2021



7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 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 the 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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