

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5477 of 2024

Arising Out of PS. Case No.-471 Year-2023 Thana- PATNA GRP CASE District- Patna

Balender Ram S/o Badan Ram R/o village Hussepur, PS- Sahibganj, Dist-
Muzafarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, Adv.

For the Opposite Party/s : Mr. Gulnar Begum, APP

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

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with GRP Patna Jn. (Rajendra Nagar) P.S Case No. 471
of 2023 registered for the offences punishable under
Sections 414 and 34 of the I.P.C.

3. As per allegation in the FIR, five mobiles
have been recovered from the possession of petitioner
which were alleged to be stolen.

4. Learned counsel for the petitioner submits
that petitioner has falsely been implicated in this case.
He further submits that similiary situated co-accused



persons have been granted bail by a Co-ordinate Benches of this Court co-accused namely Nitish Kumar vide Cr. Misc. No. 64790 of 2023 dated 12.10.2023 and co-accused namely Raushan Kumar vide Cr. Misc No. 67175 of 2023 dated 17.10.2023. It is also submitted that petitioner is in judicial custody since 10.06.2023.

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 seizure list, and period of custody it appears that other co-accused have already granted bail in same nature of allegations 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 Judicial Magistrate, Railway, Patna in connection with GRP Patna Jn. (Rajendra Nagar) P.S Case No. 471 of 2023.



7. The trial court is directed to conclude the proceeding of framing of charge according to law a period of one month 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 present physically on each and every date before the trial court till conclusion of the the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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