

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3314 of 2024

Arising Out of PS. Case No.-132 Year-2023 Thana- GAYA RAIL P.S. District- Gaya

1. Anand Khatua (Male) aged about 19 years, S/o Manik Khatua R/o Village-Ram Bagani High School, P.S.- Canning, Distt- 24 Paragana (W.B.)
2. Tarak Chandra Manjhi, aged about 47 years, S/o Satish Manjhi R/o Village-Malancha, P.S.- Bhilakha, Distt- 24 Paragana (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Murad Ashraf, Advocate
For the Opposite Party/s	:	Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 14-03-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioners seek bail in connection with Gaya Rail P.S. Case No.-132 of 2023 registered for the offence under Sections 414/34 of the Indian Penal Code.

3. As per the allegation in the FIR, petitioners along with other co-accused are involved in commission of theft of mobile phones etc. of the passengers at railway station.

4. Learned counsel for the petitioners have submitted that petitioners have falsely been implicated in this case due to misrepresentation and mistake of fact. He next submits that petitioners have not been arrested at the spot and the petitioners were taken into custody from a hotel on the confession of co-accused Ashish Duitta Paiyk who was later on granted bail from the trial Court. Petitioners are in custody since 09.05.2023.



5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioners, above named, be directed to be released on bail *after framing of the charge* in connection with Gaya Rail P.S. Case No.132 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Gaya.

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 above named petitioners shall be released on bail on furnishing bail bond with further condition that the petitioners 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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