

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37058 of 2017**

Arising Out of PS. Case No. -6 Year- 2015 Thana -WARSALIGANJ District- NAWADA

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Nishu Kumar, Son of Subodh Kumar, Resident of Village- Manama, P.S.-  
Hisua in the District of Nawada.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Ranjeet Kumar, Advocate

For the Opposite Party: Mr. Jitendra Kr. Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL ORDER**

3      22-09-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is in custody since 24.02.2016 in connection with Warisaliganj P.S. Case No. 6 of 2015 for the offences alleged under Sections 147, 148, 149, 323, 307, 452, 379, 380, 504, 506/120B of the Indian Penal Code and Section 27 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and he is not named in the first information report. Neither any incriminating article has been recovered from the possession of the petitioner nor has he been put on test identification parade for his identification. Similarly situated accused Devendra Pandey @ Baba and Guddu Kumar @ Guddu Mahto have been granted bail by this Court in Cr. Misc. No. 35662 of 2016 and Cr. Misc. No. 18319 of 2017, respectively.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case and considering the period of custody since 24.02.2016, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction



of learned Additional Sessions Judge-V, Nawada, in connection with S. Tr. No. 493 of 2016/715 of 2016 arising out of Warsaliganj P.S. Case No. 6 of 2015, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Vikash Jain, J)**

B.T/Chandran

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