

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44021 of 2017

Arising Out of PS.Case No. -174 Year- 2014 Thana -NARDIGANJ District- NAWADA

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Bipin Kumar, Son of Jagdev Prasad alias Jagdev Singh, Resident of
Village- Bahuara, P.S.- Neem Chak, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 29-11-2017 The petitioner is permitted to make correction in the

prayer portion stating the correct court where the matter is

pending.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner is languishing in judicial custody since

19.07.2017 in connection with Nardiganj P.S. Case No.174 of

2014 for offences punishable under Section 392 of the Indian

Penal Code.

The prosecution case, as lodged by the informant, is

that while he was returning from Tilak Faldan of his daughter his

car was intercepted by four miscreants who looted the returned

gift and cash from the informant.



It has been submitted by the learned counsel for the petitioner that he is innocent and not named in the F.I.R. and his name surfaced on the confessional statement of another co-accused Karu Rajbanshi @ Vinod Rajbanshi. He submits that just because he has criminal antecedent, he has been made accused in the present case. It is further submitted that charge-sheet has already been submitted and one of the co-accused Karu Rajbanshi @ Vinod Rajbanshi has been granted the privilege of bail by a co-ordinate Bench of this Court in Cr. Misc. No. 23524 of 2015 on 13.07.2015.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have criminal antecedent and as many as two cases are pending against him one for similar offence.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIth Nawadah, in connection with Nardiganj P.S. Case No. 174 of 2014, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner



having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.

(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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