

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37979 of 2018

Arising Out of PS. Case No.-229 Year-2018 Thana- NAWADA District- Nawada

Akhilesh Kumar @ Akhilesh Choudhary, Son of Darbari Choudhary,
Resident of Village- Mosma, P.S.- Warsaliganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner is languishing in judicial custody since
28.04.2018 in connection with Nawada P.S. Case No. 229 of
2018 registered for the offence punishable under Sections 386
and 392 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that he is working as godown keeper in H.P. Gas station and
doing accounting work in his office. There were five vendors
and thereafter two persons came and approached for gas
connection and went away to another person who was standing
near the gate. Thereafter they returned and on pistol point
snatched Rs.6,000/- from the drawer of the office and also
threatenend him to give rangdari of Rs.2 Lakhs and snatched



away the mobile of the informant.

It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the First Information Report, bears no criminal history and his name surfaced only on the confessional statement of a co-accused, Sabir, who has since been granted the privilege of bail. He submits that just because an old unworkable mobile was found in his room, he has been made accused in the present case. He submits that no Test Identification Parade has been done so far and that the petitioner is a student and the room is being shared by two students. It is further submitted that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Nawada P.S. Case No. 229 of 2018, subject to the condition that one of the bailors would be close relative of



the petitioner having sufficient immovable properties, who will
file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J.)

Arjun/Ragini

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