

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4110 of 2019

Arising Out of PS. Case No.-169 Year-2018 Thana- BALIYA District- Begusarai

Nilesh Kumar, son of Ajay Kumar, resident of Village- Kamalpur, P.S. Ballia,
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in Ballia P.S. Case No. 169 of
2018 registered under Section 447, 234, 326 and 307/34 of the
Indian Penal Code.

Three unknown motorcycle borne miscreants are said to
have resorted firing upon the informant and on one Sanjit Singh
in course of chatting between them inflicting injury on the leg of
the informant while on the thigh of Sanjit Singh.

It is submitted by learned counsel for the petitioner that
no such occurrence as alleged ever took place. He has been
falsely implicated in this case. The petitioner is not named in the
F.I.R. There is no witness of the occurrence. Though the



informant has not named the petitioner in the occurrence rather in para-27 of the case diary he has stated about complicity of the petitioner in the occurrence on the basis of rumor. There is nothing on record indicating the complicity of the petitioner in the occurrence barring his confessional statement recorded by the police in Balia P.S. Case No.209 of 2018 and more over three miscreants are said to have resorted firing but the police has submitted chargesheet against the five accused persons including the petitioner. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has been languishing in custody since 27.08.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No.169 of 2018.

(Prakash Chandra Jaiswal, J)

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