

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78966 of 2018

Arising Out of PS. Case No.-66 Year-2018 Thana- RAMKRISHNANAGAR District- Patna

Nitin Kumar, Son of Ganesh Sao @ Ganesh Prasad, Resident of Village-
Raghopur, Sri Rampur, P.S.- Fatehpur, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr.Sri Kalyan Shankar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 29-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Ramkrishna Nagar P.S. Case No. 66 of 2018
registered for the offences punishable under Section 392 of the
Indian Penal Code.

Informant has alleged that while he was returning
on his motorcycle three unknown miscreants on two
motorcycles stopped him and on strength of arms looted his
Video Camera, Still Camera, Motorcycle, Mobile and purse.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. FIR is against unknown. Nothing
has been recovered from his possession. His name has surfaced



in this case on the basis of confessional statement made by co-accused Bhola and from the possession of Bhola the looted articles were recovered. Petitioner is in custody since 07.06.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon 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,-XIII, Patna, in connection with Ramkrishna Nagar P.S. Case No. 66 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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