

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33939 of 2019

Arising Out of PS. Case No.-170 Year-2018 Thana- GHOSI District- Jehanabad

Nitish Kumar, Son of Sri Shabil Paswan, Resident of Village - Shahpur, P.S.- Ghoshi, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niraj Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 23-05-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Ghosi P.S. Case No. 170 of 2018, registered under Sections 457 and 380 of the Indian Penal Code.

The accusation is that two persons, namely, Sunni Kumar and Nitish Kumar (petitioner) entered in the house of the informant and took away cash of Rs.60,000/- and ornaments of granddaughter of the informant. On raising alarm, neighbours of the informant reached there then Sunni Kumr was apprehended while petitioner succeeded to flee away. At that time, Sunny Kumar was assaulted by the villagers.

Learned counsel for the petitioner submits that, in



fact, co-accused, Sunni Kumar was assaulted by the informant and others, regarding which, Ghosi P.S. Case No. 181 of 2018 was instituted against the informant and others on the basis of written report of mother of Sunni Kumar due to that reason, petitioner has falsely been implicated in this case. Moreover, petitioner has not been apprehended at the spot and he has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad, in connection with Ghosi P.S. Case No. 170 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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