

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60152 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- VAISHALI District- Vaishali

Nitesh Kumar @ Nitish Kumar Son of Shambhu Nath Sah @ Shambhu Sah
Resident of Village - Gariba, P.S.- Paroo, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Vaishali P.S. Case No. 29 of 2019, registered for the
offence punishable under Section 395 of the Indian Penal Code.

Informant has alleged in his written complaint that on
22.01.2019 informant was going from Bithauli to Gopalganj
along with Surf loaded Truck bearing Registration No. BR-
NL02Q 1768. At about 11:30 O'clock when the truck was
passing through Lalganj-Vaishali Road at Bhagwanpur Ratii on
the road there was a branch of tree lying down on the ground,
due to which informant stopped his vehicle, in the
meantime, 6 to 7 miscreants variously armed with deadly
weapons entered into his truck and tied the driver and Khalashi



and snatched Rs. 3000/-, mobile phones and other documents and fled away with the truck.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case on the basis of confessional statement of co-accused Sandeep Kumar Chaurasiya. He further submits that the petitioner is not named in the FIR and nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent and he is in custody since 25.01.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with tow sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 29 of 2019 subject to the conditions that:-

- (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 his absence



on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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)

S.Katyayan/-

U		T	
---	--	---	--

