

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78814 of 2019

Arising Out of PS. Case No.-443 Year-2019 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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NITESH KUMAR @ MITA Son of Hari Paswan Resident of Village -
Chhitarpatti, P.S.- Minapur, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahesh Prasad, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 395 of the Indian Penal Code.

Co-accused Vikas Kumar was apprehended while he
along with other co-culprit was attempting to robe the
motorcycle of the informant. Vikas disclosed name of any
person, rather he disclosed stature of the accused, thereafter his
confessional statement was recorded wherein name of the
petitioner surfaced.

Submission is that nothing was recovered from
possession of the petitioner. Petitioner is in custody since
27.07.2019. Investigation of the case is already complete against
the petitioner. Petitioner was never put on T.I. Parade. Only



criminal antecedent of the petitioner has led the police to implicate the petitioner.

Considering the facts aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kanti Police Station Case No. 443 of 2019, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner as well as condition that the **bailor shall file affidavit with regard to the fact** that the petitioner shall produce himself as and when required by the court, failing which the learned court below shall cancel the bail bond of the petitioner also.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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