

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15476 of 2020

Arising Out of PS. Case No.-22 Year-2019 Thana- JADIA District- Supaul

NITESH KUMAR @ NITISH KUMAR, aged about 20 years (Male), S/o
Bijendra Yadav, R/o village- Raghunathpur, P.S.- Jadiya, District- Supaul.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dinesh Choudhary, Advocate.
For the Opposite Party : Mrs.Anita Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Section 392 of the IPC.

The prosecution story, in brief, is that on 04.02.2019
at 4.40 P.M., the informant was going from *Jadia Bazar* to the
Village-Baghaili on his Motorcycle. When he reached at *Bhikari*
Chowk, 200 yard west of Bhaigali, a black colour Motorcycle
having three persons on it came and one person by his fit hit the
Motorcycle of the informant, he fell down. Meanwhile, the
accused fired in air and taken his Motorcycle having Rs.
35,000/- in *Dicky* and has also snatched Mobile in which two
Sims bearing its nos. 9939598397 and 8051283722.

It has been submitted by learned counsel for the



petitioner that the petitioner is languishing in custody since 10.02.2019. The petitioner has got no criminal antecedent. He has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come in the present case on the basis of confessional statement of co-accused. The petitioner has not been put on T.I. Parade. There is no recovery from possession of the petitioner. Other co-accused has been granted bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 45373 of 2019 under order dated 25.07.2019 annexed as Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Supaul, in connection with Jadia P.S. Case No. 22 of 2019.

(Sudhir Singh, J)

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