

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23079 of 2020

Arising Out of PS. Case No.-188 Year-2020 Thana- CHAPRA MUFFASIL District- Saran

NITISH KUMAR Son of Arjun Ram Resident of Village- Ramkolwa, P.S.-
Chapra Muffasil, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindhyachal Singh, Advocate

For the Opposite Party/s : Mrs. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-09-2020 Heard Mr. Bindhyachal Singh, learned counsel for the

petitioner and Mrs. Gulnar Begum, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Chapra Muffasil P.S. Case No. 188 of 2020 registered for the
offence punishable under Section 394 of the Indian Penal Code,
1860 .

The petitioner is not named in the FIR. The
prosecution story in brief is that the informant was intercepted
by three persons, who snatched his mobile phone, a sum of Rs.
9360 /- and one black colour Honda Shine motorcycle. It has
also been stated that on protest by the informant, the accused
persons gave a knife blow to him on his neck.

Learned counsel for the petitioner submits that



petitioner has not committed any offence in the manner alleged and has falsely been implicated in this case on the basis of confessional statement of the co-accused namely, Din Dayal Rai @ Din Dayal Kumar, who was arrested by the Police. Learned counsel further submits that some of the looted articles have been recovered from the possession of the co-accused Din Dayal Rai @ Din Dayal Kumar. Learned counsel further submits that petitioner has got no criminal antecedent, no incriminating or looted article has been recovered from the possession of the petitioner and the petitioner has not been put on T.I.P. by the Police. Learned counsel further submits that petitioner is in custody since 09.05.2020.

Having regard to the submissions made by the parties and taking into consideration the materials available on record and considering the fact that no looted article has been recovered from the possession of the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 188 of 2020 on



the following condition:-

(i) that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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