

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27905 of 2020

Arising Out of PS. Case No.-36 Year-2020 Thana- NAVINAGAR District- Aurangabad

Nikhil Kumar @ Prince Kumar, Son of Ashok Singh @ Ashok Kumar Singh,
Resident of Village- Simri Maygra, P.S.- Nabinagar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Smt.Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-11-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Smt.Pushpa Sinha, learned APP is appearing for the State as it is submitted that the brief has been allotted to her by the office of Advocate General.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with



Nabinagar P.S. Case No.36 of 2020 registered for the offence punishable under Sections 392, 395 and 412 of the Indian Penal Code.

The prosecution case is that four persons on two motorcycles have intercepted the informant and snatched his bike and two mobile phones.

Petitioner's counsel submits that the stolen motorcycle has been recovered from the house of Raj Kumar Singh and the mobiles from Upendra Singh and the confessional statements of these co-accused have led to false implication of the petitioner in this case. He is in custody since 15.03.2020 and has no criminal antecedents. He has not been put on T.I. Parade and there is no recovery of any incriminating material from him.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial



Magistrate-I, Aurangabad, in connection with Nabinagar
P.S. Case No.36 of 2020, subject to the following
conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

PNM

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

