

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16873 of 2021

Arising Out of PS. Case No.-580 Year-2020 Thana- NAWADA District- Nawada

Nainshu Kumar @ Nayansu Kumar, aged 19 years (Male), S/o Robin Yadav,
R/o village- Naya Tola Jurabganj, P.S.- Korha, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar Pandey, Advocate
For the Opposite Party/s : Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-08-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 356 and 379 of the Indian Penal Code.

Raj Kumar Ram, the informant alleged that when he was going to his house along with his son after withdrawing Rs.2,00,000/- from the bank, two persons came on a motorcycle and snatched his bag containing Rs.2,00,000/-, Pension Book,



I.D. Card, PAN Card, Aadhar Card, cheque books, ATM Card and two pass books of State Bank of India.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR rather his name transpired in the case on the basis of earlier case in which police arrested the petitioner on the basis of suspicion and forcibly took his confessional statement. No incriminating article has been recovered from possession of the petitioner and the petitioner was remanded in this case on 18.08.2020. No T.I. Parade has been done till date.

Considering the facts and circumstances of the case and the fact that no incriminating article has been recovered from possession of the petitioner, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned court below/successor court where the case is pending in connection with Nawada (T) P.S. Case No.580 of 2020, subject to the conditions:

(1) 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. He will also undertake to



inform the court, if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiating proceeding for cancellation of bail on the ground of misuse.

(3) That the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(4) That the petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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