

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25827 of 2021

Arising Out of PS. Case No.-497 Year-2020 Thana- KOTWALI District- Patna

NITISH KUMAR SON OF RAM PRAVESH YADAV R/O VILLAGE-DHAMAUL, P.S- KURTHA, DIST- ARWAL, A/P MAHALAXMI MENSION JUSTICE NARAYAN PATH, NAGESHWAR COLONY, PATNA

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Suryadeo Prasad Singh, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-11-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Petitioner seeks bail in connection with Kotwali P.S. Case No. 497 of 2020 registered for the offence punishable under Section 379 of the Indian Penal Code.

Prosecution story in short is that one Ayushi Sinha submitted a written report to S.H.O. Kotwali P.S. alleging therein that she had parked her scooty opposite to Vimla Apartment, Boring Road and the same was stolen by unknown person.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. Petitioner is not



named in the FIR. Nothing has been recovered from conscious possession of the petitioner rather the police recovered the said scooty from open place. Petitioner has clean antecedent and is in custody since 16.12.2020. It is further submitted that co-accused Nunu Kumar has been granted regular bail by a co-ordinate Bench of this Court vide order dated 17.11.2021 passed in Cr. Misc. No. 25691 of 2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna/concerned court in connection with Kotwali P.S. Case No. 497 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail



bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rajesh Kumar Verma, J)

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