

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35320 of 2020

Arising Out of PS. Case No.-322 Year-2019 Thana- CHIRAIYA District- East Champaran

NITESH KUMAR SINGH @ NITESH KUMAR @ NITESH SINGH Son of
PERMANAND SINGH Resident of Village - Raysingha, P.S.- Motihari
Muffasil, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 12-01-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Chiraiya P.S. Case No. 322 of 2019 for the offence registered
under Section 395 of the Indian Penal Code.

The allegation is regarding unknown miscreants
having arrived at the petrol pump and having snatched a sum of
Rs. 1,86,800/- in cash, whereafter they are stated to have fled
away.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is languishing in custody since 24.07.2019.
The learned counsel for the petitioner has further submitted that



no Test Identification Parade has been held so as to connect the petitioner with the alleged crime. It is also submitted that even the T.I.P. of the cash box, recovered by the police, has not been conducted so as to prove the complicity of the petitioner in the alleged crime. Lastly, it is submitted that the petitioner is ready and willing to abide by such conditions, as may be imposed by this Court for the purposes of grant of bail.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that no Test Identification Parade has been held so as to connect the petitioner with the alleged crime and moreover considering the submission of the learned counsel for the petitioner that the petitioner is ready and willing to abide by such conditions as may be imposed by this Court, I deem it fit and proper to admit the petitioner to the privilege of bail, however, subject to certain conditions.

Accordingly, the petitioner, above named, is directed to 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 learned Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran in connection with Chiraiya P.S. Case No. 322 of 2019.

It is needless to state that the petitioner would mark his attendance before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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