

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8017 of 2021

Arising Out of PS. Case No.-154 Year-2019 Thana- GANGABRIDGE District- Vaishali

Nitish Kumar (Male), aged about 22 years, S/O Harinath Rai R/O Village-
Baranti, P.S.-Rajapakar, District-Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul, Adv.
Mr. Anuj Kumar

For the Opposite Party/s : Mrs. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 24-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Ganga Bridge P.S. Case No. 154 of 2019, registered for the offence under Section 392 of the Indian Penal Code.

As per the prosecution case, four unknown miscreants on two motorcycle, armed with weapons, came at the petrol pump and looted cash worth Rs. 1,50,000/- of Petrol Pump and Pump's mobile phone as well as informant's mobile phone. The miscreants also damaged the CCTV Camera, installed at the Petrol Pump.

Petitioner is not named in the FIR. His name has transpired during course of investigation on the confessional



statement of co-accused Kunal Kumar. It is further submitted that no looted article has been recovered from the possession of the petitioner and till date, T.I.P. has not been conducted. Petitioner is in custody since 15.11.2019.

Learned A.P.P. for the State has vehemently opposed the bail petition and submitted that petitioner has got criminal antecedents and he is accused in six more criminal cases of similar nature.

However, considering the rival submissions of the parties and materials available on the record as well as period of custody and the fact that till date T.I.P. has not been held and no looted article has been recovered from possession of the petitioner, the bail petition of petitioner is allowed.

Let the above named petitioner 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 C.J.M., Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 154 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, 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.”

(Prabhat Kumar Singh, J.)

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