

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4316 of 2022

Arising Out of PS. Case No.-218 Year-2021 Thana- BALIYA District- Begusarai

Nitish Kumar Son of Hareram Sah Resident of Village - Milki Chak, Ward
No. 01, Ballia, P.S. - Ballia, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Ballia P.S. Case No. 218 of 2021 instituted for the offences
under Sections 457, 380 and 411 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 21.07.2021, charge-sheet has been
submitted in the case and has antecedent of one case.

Learned counsel for the petitioner submits that the
informant alleges that on 17.07.2021 while he was sleeping with
his family members, some anti-social elements came and
committed theft of his LCD TV, mobile, gold jewelry about *10*
bhar and $\frac{1}{2}$ Kg silver jewelry along with some new cloths and
container of mustard oil.



Learned counsel for the petitioner submits that the F.I.R. was lodged against the unknown persons, during the course of investigation, police received information through spy that the petitioner along with others had committed the occurrence and the looted articles are kept in the house of one Raja Kumar. Learned counsel further submits that according to the police searched at the house of Raja Kumar from where looted articles were recovered. The petitioner apprehended by the police along with the other accused persons from the house of Raja Kumar where Raja Kumar resided as a tenant in the house of Sunil Kumar from where the theft articles were seized. Petitioner is also apprehended from the same tenanted premises. The other accused persons Sukesh Kumar and Amit Kumar have been granted bail by the Co-ordinate Bench of this Court vide order dated 07.12.2021 and 12.04.2022 passed in Cr. Misc. No. 55858 of 2021 and in Cr. Misc. No. 65620 of 2021 respectively.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 21.07.2021 and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand



only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No. 218 of 2021.

(Khatim Reza, J)

Gaurav Kumar/-

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