

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16435 of 2022

Arising Out of PS. Case No.-23 Year-2022 Thana- MAKHDUMPUR District- Jehanabad

NIRANJAN KUMAR Son of Ramashankar Prajapati @ shankar Prajapati
Resident of Village - Mok, P.s.- Konch, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shive Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 30-06-2022 The present matter has been listed under the heading
“To Be Mentioned” on the basis of motion slip filed on behalf of
the petitioner.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Makhdumpur P.S. Case No. 23 of 2022 registered for the
offences punishable under Sections 379 and 411 of the Indian
Penal Code.

As per prosecution case, on 16.01.2022 at about
12:30 AM. one miscreant is said to have carried away the
thrasher of the informant by adding with Mahindra Tractor with



intention to commit theft but on chase, he was apprehended by the police as well as villagers and the said person disclosed his name as petitioner Niranjana Kumar who left the said thrasher near Brilliant School at Makhdumpur during the course of his fleeing.

Learned counsel for the petitioner submits that petitioner is quite innocent and he has falsely been implicated in this case mere on suspicion. Petitioner has no concern with the alleged occurrence and nothing has been recovered from the possession of the petitioner. Petitioner is in custody since 16.01.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge-sheet has already been submitted and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-



III, Jehanabad in connection with Makhdumpur P.S. Case No. 23 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

shahzad/-
amit

U		T	
---	--	---	--

