

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37486 of 2021**

Arising Out of PS. Case No.-174 Year-2021 Thana- AHYAPUR District- Muzaffarpur

NAVEEN KUMAR SAH @ NAVEEN KUMAR Son of Nathuni Sah Resi-
dent of Village - Motaha Fakirana, P.S.- Minapur, Distt.- Muzaffarpur.
... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Santosh Kumar, Advocate
For the Opposite Party/s	:	Mr.Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 22-02-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

The petitioner, who is in custody since 10.03.2021,
seeks regular bail in connection with Ahiyapur P.S. Case No.
174 of 2021, for the offence punishable under Section 393 of the
Indian Penal Code.

The prosecution case, in brief, is that on
07.03.2021, the informant along with other Police personnel
received information about two miscreants, who were attempt-
ing to commit loot the passerby, near Jhapaha railway over
bridge. Thereafter, they reached there and started chasing motor-
bike borne miscreants, who fell down due to losing their bal-
ance. Both the miscreants were apprehended, who disclosed



their names as Navin Kumar Sah (Petitioner) and Nitish Kumar.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in this case. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that the petitioner has been roped in the present case as he has been made accused in several other cases about which he has made specific statement in paragraph No. 3 of the bail application. He further submits that petitioner has not been put on T.I.P. while he is in custody since 10.03.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the above mentioned facts and circumstances of the case, the Court below is directed to obtain criminal antecedent report of the petitioner from the concerned Superintendent of Police and if it is found that no other criminal case is pending against the petitioner, as what has been stated in paragraph No.3 of the present bail application filed on behalf of the petitioner, the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in



connection with Ahiyapur P.S. Case No. 174 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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