

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52777 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- PIPRAKOTHI District- East Champaran

NITESH KUMAR S/o Kari Prasad R/o Village- Ibrahimpur, P.S.- Paharpur,
District- East Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr.A.PP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-06-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Pipra Kothi P.S. Case no. 21 of 2021 instituted for the offence under Sections 393 and 414 of the Indian Penal Code.

As per allegation in the FIR, when the police was at patrolling duty and reached near Santi Niketan School, they saw that four persons were riding on two motorcycles and when the police signaled them to stop, pillion riders were succeeded in fleeing away including the petitioner and driver of both the motorcycles were apprehended on spot, who disclosed the name of the petitioner. On search, knife, glaves, mobile and scissors were recovered from their conscious possession. It is further alleged that they did not produce any document regarding ownership of motorcycles.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence.



He has been falsely implicated in this case. He has got no criminal antecedent. The name of the petitioner has been disclosed in this case by the apprehended, which has got no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Pipra Kothi P.S. Case no. 21 of 2021, he will be enlarged 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 CJM, Motihari, East Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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