

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44172 of 2022

Arising Out of PS. Case No.-122 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Bhikhari Kumar Son of Rambadan Singh Resident of Village - Pahsara, P.S.-
Nawkothe, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-11-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

through virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Nawkothe
P.S. Case No. 122 of 2021 registered for the offence under
Sections 399, 402, 414 I.P.C. and 25(1-b)a, 26, 35 of the Arms
Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.08.2021.

The allegation against the petitioner is to participate in
preparation for dacoity along with other co-accused persons.



Learned counsel appearing on behalf of the petitioner submitted that petitioner was falsely implicated in present case. It is further submitted that as petitioner found involved in 6 more criminal cases, his name surfaced in present case also due to suspicion arises from his criminal antecedents. It is also submitted that no incriminating material was recovered from the possession of this petitioner, which may suggest his alleged participation for preparation of dacoity. It is also submitted that similarly situated co-accused person namely, Shubham Kumar has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 11882 of 2022 vide order dated 13.07.2022. While concluding the argument, it has been submitted that investigation of this case is complete, where charge-sheet has been submitted, as such, there is no chance of tempering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as no incriminating material was recovered from the possession of this petitioner, which may suggest that the petitioner was participating in preparation for dacoity coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in



connection with Nawkothe P.S. Case No. 122 of 2021 on
furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with
two sureties of the like amount each to the satisfaction of
learned Sri Rajiv Ranjan J.M. 1st class, Begusarai/concerned
Court, subject to the conditions as mentioned under Section
437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

Archana/-

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