

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54996 of 2021

Arising Out of PS. Case No.-165 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Nitesh Kumar, Son of Sonelal Sah, resident of village-Chhitarpatti, P.S.-
Minapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjana, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-04-2022 Heard counsel for the parties.

The petitioner is accused in connection with
Muzaffarpur Sadar P.S. Case No.165 of 2019 under Section 392
(later converted into 395 of the Indian Penal Code).

As per the allegation, the informant was intercepted
by six accused persons riding on three motorcycles and at gun
point they snatched not only his motorcycle but his mobile and
wallet having Rs.3000/- in cash. Accordingly, FIR against
unknown was lodged.

Learned counsel for the petitioner submits that not
only in this case but in some other cases too, the accused Navin
Sah after his arrest named him as an accomplice which led to his
arrest. He is innocent and is in jail since 05.04.2021, as stated in
para-7 of the bail application. The counsel for the petitioner
further submits that he is ready to abide by any condition that



this Court may deem fit and proper while releasing him on bail.

Taking into account the aforesaid facts, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each in connection with Muzaffarpur Sadar P.S. Case No.165 of 2019 to the satisfaction of learned A.C.J.M.,IXth, Muzaffarpur (East), subject to following conditions:

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any



criminal offence again, failing which the State shall take steps
for cancellation of his bail bonds.

With the aforesaid observation, the bail application is
allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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