

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55676 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- MARANCHI District- Patna

NITISH KUMAR Son of Ganesh Ram Resident of Village - Nauranga
Jalalpur, P.s.- Maranchi (Pach Mahala O.P.), Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-05-2022 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioner seeks regular bail in connection with
Maranchi P.S. Case No. 58/2021 registered for the offences
punishable under Sections 379 and 461 of the Indian Penal
Code 1860.

The prosecution case in brief is that on 6.6.2021 at
about 7:00 AM in the morning when the informant opened
his shop he found many articles along with cash were stolen
from his shop. The petitioner was identified in CCTV
footage along with co-accused Nitish Kumar.

Learned counsel for the petitioner submits that the



petitioner has got no criminal antecedent and he has not committed any offence in the manner alleged. Learned counsel further submits that a few articles were recovered from the house of the petitioner and it has been alleged that the same are looted articles. He also submits that from perusal of the seizure list it would be evident that the procedure prescribed under Section 100 Cr. P.C. was not followed and signature of independent witnesses were not taken at the time of seizure. He next submits that similarly situated co-accused person namely, Abhishek Kumar, has been granted bail by this Court in Cr. Misc. 54034 of 2021. The petitioner is in custody since 11.6.2021 and charge sheet has already been submitted.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that petitioner has got no criminal antecedent, he is in custody since 11.6.2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of Shri Ranjan Deo, learned Judicial Magistrate, 1st Class, Barh, Distt. Patna, in connection with Maranchi P.S. Case No. 58/2021.

(Anil Kumar Sinha, J)

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