

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56099 of 2021

Arising Out of PS. Case No.-517 Year-2018 Thana- JAHANABAD District- Jehanabad

Niti @ Nitish Kumar @ Nitin Kumar S/O Surjan Prasad R/O Village- Sandh
Bigha, P.S.- Karai Parsurai, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudal Prasad

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-04-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public prosecutor for the State through video
conferencing.

Petitioner seeks bail in a case registered in connection
with Jehanabad (Karauna OP) P.S.Case No. 517 of 2018 for the
offences punishable under Sections 392 of the Indian Penal
Code.

As per prosecution case, on the alleged date of
occurrence while the informant was going to Ranchi, some
miscreants intercepted his Car and snatched cash of Rs. 18000/-,
two mobiles and some documents. Co-accused persons also
snatched gold chain and mobile phone from his driver.



Learned counsel for the petitioner submits that petitioner is not named in the F.I.R and his name transpired on the basis of confessional statement of of co-accused Praduman Kumar@ Praduman and Baiju@ Chapa. It is further submitted that nothing has been recovered from the conscious possession of the petitioner. Petitioner is rotting in jail since 30.05.2021 and as yet, he has not been put on TIP. Further submits that co-accused Praduman Kumar on whose confession, the name of petitioner has come has already been granted bail by a co-ordinate Bench of this court in Cr. Misc. No.76247 of 2018 vide order dated 18.12.2018. The other co-accused persons namely, Baiju @ Chopa and Satish @ Chhatish Kumar have also been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 12520 of 2019 vide order dated 01.03.2019. Both the orders have been annexed as Annexure- 3 series to this petition.

The learned A.P.P opposed the prayer for bail of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the fact that the F.I.R instituted against unknown and the name of petitioner has been transpired in confessional statement of co-accused, who has already been granted bail by co-ordinate Bench of this Court, let the



petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/0- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jehanabad in connection with Jehanabad (Karauna) P.S.Case No. 517 of 2018, on the following conditions:-

“(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

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

(Harish Kumar, J)

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