

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66088 of 2021

Arising Out of PS. Case No.-119 Year-2021 Thana- KUMAR KHAND District- Madhepura

NITISH KUMAR S/O MADAN YADAV R/o village- Gidrahi, P.S.-
Kumarkhand (Belari O.P.), District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 392 of the Indian Penal Code.

As per the prosecution case, three accused persons on a motorcycle over took the informant and on the point of pistol dispossessed him of his motorcycle and other articles.

It is submitted by learned counsel for the petitioner that the FIR was registered against three unknown. Referring to the materials on record it is submitted that the name of the petitioner transpired in course of investigation in the confessional statement of co-accused Guddu Kumar Yadav recorded in paragraph nos. 24 and 25 of the case diary and the petitioner also having been made accused in other cases. It is



submitted that so far as the instant case is concerned, no incriminating article has been recovered from the petitioner's possession nor has been put on T.I. Parade and he is in custody since 23.6.2021. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, no incriminating article having been recovered from the petitioner's possession and the petitioner having remained in custody for 10 months, the Court directs the petitioner to be enlarged on bail in connection with Kumarkhand (Bhatni) P.S. Case no. 119 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 the learned A.C.J.M-IV, Madhepura.

(Partha Sarthy, J)

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