

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.610 of 2022

Arising Out of PS. Case No.-19 Year-2021 Thana- KHODAWANDPUR District- Begusarai

NITISH KUMAR Son of Ramjatan Mahto Resident of Village -
Tarabariyarpur (Mahuatol), P.s.- Khodawanpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Binode Bariar

For the Opposite Party/s : Ms.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-05-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Khodawandpur Police Station Case No. 19 of 2021, registered
for the offences punishable under Section 392 of the Indian
Penal Code.

The prosecution case, as per the First Information
Report, is that four unknown miscreants intercepted the car of
the informant and looted away mobile phone, cash of Rs.
40,000/- and purse, etc.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and he has falsely been implicated in this case on the basis of
the confessional statement of co-accused Sumit Kumar. He



further submits that no incriminating and/or looted article has been recovered from the possession of the petitioner and the petitioner has not been put on Test Identification Parade as yet. He further submits that co-accused persons, namely, Chandan Kumar (vide order, dated 16.02.2022, passed in Criminal Misc. No. 46382 of 2021) and Sumit Kumar (vide order, dated 16.05.2022, passed in Criminal Misc. No. 52118 of 2021), have been granted bail by this Court. He further submits that the petitioner is in custody since 03.03.2021, having no criminal antecedent, and charge sheet has already been submitted against him and as such there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that co-accused persons have been granted bail by this Court, no incriminating article has been recovered from the possession of the petitioner, the petitioner has not been put on Test Identification Parade, charge sheet has already been submitted and the petitioner is in custody since 03.03.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.



Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Manjhaul, Begusarai, in connection with Khodawandpur Police Station Case No. 19 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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