

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24 of 2022**

Arising Out of PS. Case No.-304 Year-2020 Thana- MADHEPURA District- Madhepura

Nikesh Kumar @ Nikku Son Of Chandr @ Charan Yadav @ Chander Yadev
Resident Of Village - Kalotha Ps- Gwalpara District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav, Adv.
For the Opposite Party/s : Mr. Ajay Kumar No.2, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

3 07-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Madhepura P.S. Case No. 304 of 2020 lodged under Section 392
of the I.P.C.

As per the prosecution case, the F.I.R. has been
lodged against 3 unknown accused persons against whom the
allegation of committing robbery on gun point in which
Rs.1,40,000/- have been looted along with laptop, mobile, 3
ATM cards and other papers relating to documents and black
colour Apache motorcycle.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Learned

counsel submits that the recovery of Rs.52,000/- has been shown by the police from his box in this case. Learned counsel submits that petitioner has been remanded in this case on 13.08.2021 and no. plate of motorcycle has been recovered from his house. Learned counsel submits that the said no. plate belongs to his motorcycle and not of the motorcycle which is subject to robbery. Learned counsel further submits that there are 2 criminal cases pending against petitioner in which he is on bail and subsequently acquitted also. He submits that charge has not been framed as per his knowledge but charge sheet has already been submitted in this case.

Learned counsel for the State opposes the prayer for bail and submits that petitioner is not a man of clean antecedent and charge has not been framed in this case.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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