

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1211 of 2022

Arising Out of PS. Case No.-126 Year-2021 Thana- BHAGWANPUR District- Vaishali

NIRAJ KUMAR Son of Raushan Kumar @Raushan Mahto Resident of
Village - Khajaul Bajitpur, Police Station - Goraul in the District of Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offence punishable under Section 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 16.08.201, charge-sheet has been
submitted and has antecedent of one case.

The informant alleges that he was intercepted by 3-4
unknown criminals near Bhagwanpur who on the point of gun looted
his vehicle, mobile and mobile of Shatrudhan apart from other
documents as detailed in the FIR.

Learned counsel for the petitioner submits that the FIR
was against unknown and name of this petitioner transpired in the
confessional statement of co-accused Gautam Kumra and despite



being in custody petitioner was not put on T.I. Parade nor any incriminating article was recovered from his possession. Learned counsel further submits that two FIRs for the same occurrence has been instituted i.e. the present case along with Goraul P.S. Case No. 260 of 2021 registered under Sections 412, 413 of the Indian Penal Code read with Sections 25(1-b)a and 26 of the Arms Act. Learned counsel, thus, submits that had the said case not been instituted against the petitioner then he was a person with clean antecedent.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 16.08.201, charge-sheet has been submitted and was not put on T.I. Parade nor any recovery was made and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bhagwanpur P.S. Case No. 126 of 2021.

(Satyavrat Verma, J)

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