

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24795 of 2022

Arising Out of PS. Case No.-137 Year-2021 Thana- NAGARNAUSA District- Nalanda

RABISH KUMAR Son of Shnkar Prasad Resident of Village - Gaval Bigaha,
P.s.- Hilsa, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with Nagarnausa P.S. Case No. 137 of
2021 registered for the offences punishable under
Section 379 of the Indian Penal Code.

The allegation is regarding unknown
miscreants having stolen the motorcycle of the
informant, which is stated to have been
subsequently recovered from the possession of the
co-accused persons, namely, Nitish Kumar and
Satyam Kumar.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 04.10.2021. It is further submitted by the learned counsel for the petitioner that the petitioner is an accused in three other cases but he is on bail in all of them. The learned counsel for the petitioner has also submitted that neither any Test Identification Parade has been conducted so as to connect the petitioner with the alleged crime nor the stolen motorcycle has been recovered from the petitioner and the petitioner has been falsely roped in the present case only on account of his bad antecedent.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that neither any Test Identification Parade has



been held nor the stolen motorcycle has been recovered from the possession of the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Hilsa, District-Nalanda in connection with Nagarnausa P.S. Case No. 137 of 2021.

(Mohit Kumar Shah, J)

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