

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30028 of 2023

Arising Out of PS. Case No.-266 Year-2022 Thana- SINGHESHWAR District- Madhepura

NILESH KUMAR Son of Sri. Dhirendra Singh Resident of Village -
Singheshwar, P.S.- Singheshwar, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Singeshwar P.S. Case No. 266 of 2022 registered for the
offences punishable under Sections 413, 414, 419, 420, 465,
468, 472 of the IPC.

As per prosecution case, informant got secret
information that petitioner and co-accused Sohan Singh sold the
stolen motorcycle in question to Bittu Kumar which was
recovered from the house of maternal grandfather of said Bittu
Kumar.

Learned counsel for the petitioner submits that
petitioner is quite innocent and has not committed any offence
and he has falsely been implicated in this case. He further



submits that no incriminating article has been recovered from possession of the petitioner. Except suspicion, there is nothing on record to show the involvement of the present petitioner in the alleged crime. Petitioner is in custody since 19.11.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named 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 Judicial Magistrate-1st Class, Madhepura in connection with Singheshwar P.S. Case No. 266 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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