

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36415 of 2023**

Arising Out of PS. Case No.-32 Year-2023 Thana- SHANKARPUR District- Madhepura

Nand Kishore Kumar @ Nanda, Son of Ramkishun Das @ Ram Krishan Das,
Village- Kasha Ps- Triveniganj Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bam Bahadur Jha, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

2 05-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Shankarpur P.S. Case No. 32 of 2023 registered for the alleged offences under Section 382 of the Indian Penal Code.

3. As per prosecution case, while the informant was returning after collecting money on behalf of his company, three youths on a motorcycle dashed the motorcycle of the informant and the informant fell down from his motorcycle. The miscreants took away Rs. 9350/- and a mobile phone from the fallen informant. The name of the petitioner transpired during investigation as one of the accused persons.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner has been made accused in this case on the basis of his confession. Nothing incriminating has been recovered from the person or possession of the petitioner. The petitioner is in custody since 24.02.2023 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for bail submitting that recovery has been made at the instance of co-accused who named this petitioner for being involved in the occurrence.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from this petitioner and also considering the clean antecedent of the petitioner along with his period of custody and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Madhepura/concerned court in connection with Shankarpur P.S. Case No. 32 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the



following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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