

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47625 of 2023

Arising Out of PS. Case No.-111 Year-2023 Thana- SANDESH District- Bhojpur

NIKHIL KUMAR, Male, aged about 20 years, S/O RAM JANAM SINGH
R/O Village- Surangapur, P.S- Sandesh, Distt.- Bhojpur at Ara. ... Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shantam Shivam, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

2 01-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sandesh P.S. Case No. 111 of 2023 dated 29.04.2023 registered
for the offence(s) punishable under Section(s) 392 of the Indian
Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is a student
and he has been languishing in jail since 29.04.2023, in fact on
the alleged day and time of occurrence an accident took place in
between petitioner's motorcycle and a truck and thereafter the
prosecution's story as narrated in the FIR was falsely prepared
in collusion with police. Further submissions are that as per
allegation this petitioner and two unknown co-accused persons
robbed a cash of Rs.1200/-, Rs.760 and Rs.920/- from the
informant and truck drivers and this petitioner is stated to have



been apprehended at the spot but from his possession the said looted money and the alleged firearm which was used in the alleged crime of loot, were not recovered which also shows the false implication of this petitioner in the present matter and moreover against him, the investigation has been completed.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Though the instant matter relates to a loot and petitioner was apprehended at the spot but considering the petitioner's young age and the fact that from his possession, the looted money as well as other incriminating material was not recovered when he was apprehended at the spot and against him, the investigation has been completed, in my opinion, in the said circumstances, a lenient approach can be taken in respect of the petitioner's prayer. Accordingly, let the petitioner named-above be enlarged on bail **after framing of charge, if the same has not been framed** in connection with Sandesh P.S. Case No. 111 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Sanjay/-

U		T	
---	--	---	--

