

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43219 of 2023

Arising Out of PS. Case No.-32 Year-2020 Thana- RAJENDRA NAGAR (T) RAIL P.S.
District- Patna

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NITISH KUMAR @ BAJRANGI @ BENGAL SON OF SRI SANJAY SINGH
@ SANJAY PAHALWAN RESIDENT OF VILLAGE- INDI TOLA, WARD
NO. 12, BARAHIYA, PS- BARAHIYA, DISTT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Nagendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 25-07-2023
1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
 2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
 3. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 887 of 2022 arising out of Patna JN. (Rajendra Nagar) GRP P.S. Case No. 32 of 2020 dated 29.1.2020 registered for the offence punishable u/s 394 of the Indian Penal Code.
 4. As per the prosecution case, two unknown miscreants are alleged to have assaulted the informant and fired



on him and looted his mobile phone and Rs. 1000/-.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is not named in the FIR rather his name has sprung up in the confessional statement of the co-accused, Manish Kumar. The petitioner is accused in 9 other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 1.2.2021.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Sessions Trial No. 887 of 2022 arising out of Patna JN. (Rajendra Nagar) GRP P.S. Case No. 32 of 2020 with the conditions:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

(ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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