

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50947 of 2023

Arising Out of PS. Case No.-426 Year-2022 Thana- AMAS District- Gaya

NITISH KUMAR @ AJAY PRASAD S/O RAM KEWAL PRASAD R/O
VILLAGE- SHAMSHERKHAP, PS. AMAS, DIST. GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar
For the Opposite Party/s : Mr.Upendra Kumar

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

ORAL ORDER

- 2 17-08-2023 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 Amas P.S. Case No. 426 of 2022 dated 21.10.2022, registered for the offences punishable u/ss 386 and 387 read with Section 34 of the Indian Penal Code.
4. As per the prosecution case, six unknown miscreants boarded on two motorcycles are alleged to have assaulted and robbed mobile phones and Rs. 1,50,000/- in the factory of the informant. They demanded Rs. 5 lacs as rangdari and threatened to kill if the said demand was not fulfilled.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has surfaced during investigation. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 30.10.2022.

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, Gaya, in connection with Amas P.S. Case No. 426 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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