

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54406 of 2023

Arising Out of PS. Case No.-90 Year-2020 Thana- SARAI RANJAN District- Samastipur

Nilendra Giri Son Of Saroj Kumari Giri Resident Of Village- Bathua Buzurg,
Ps- Musarigharari, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 399, 402, 412 of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act.

The allegation against the petitioner along with others is of making a plan for commission of crime. One accused person apprehend on the spot who disclosed the name of petitioner as one of his associates.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and committed no offence. He has falsely been implicated in the present case due to his criminal antecedents. His name has been disclosed by the apprehended



co-accused Rajesh Kumar Singh in his confession before the police, which has no evidentiary value in the eye of law. Neither the petitioner was arrested on the spot nor any incriminating weapon has been recovered from his conscious possession. It is also submitted that petitioner is languishing in judicial custody since 15.11.2021.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sarairanjan P.S. Case No. 90 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Samastipur.

(Sunil Kumar Panwar, J)

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