

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55006 of 2023

Arising Out of PS. Case No.-180 Year-2023 Thana- KORHA District- Katihar

NITESH KUMAR S/O - MANOJ MADAL R/O VILLAGE - SEMAPUR
TAPPU DIARA, P.S. - BARARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Korha P.S. Case No.180 of 2023 instituted under Section 395 of the IPC lodged on 09.05.2023 by the informant Dharmendra Das.

As per the prosecution story, the allegation is that while he was going to his house on his tractor loaded with maize, was intercepted by unknown persons who snatched cash/mobile, took him to a lonely place from where he reached the house of his business partner, Dharmendra Kumar Das and thereafter the FIR.

The case of the petitioner is that his name has been implicated only on the confession of Amar Kumar who was arrested on 10.05.2023 after he was also arrested on 11.05.2023, but neither anything has been recovered from his possession nor



TI parade conducted. The last submission is that he do not have criminal antecedent.

Learned APP opposes the prayer for bail.

Considering the submissions put forward by learned counsel for the petitioner that his name has come in the confessional statement and despite being in custody since 11.05.2023, TI parade has not been conducted and further he do not have criminal antecedent, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Korha P.S. Case No.180 of 2023 to the satisfaction of learned Chief Judicial Magistrate, Katihar, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan

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