

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57533 of 2022

Arising Out of PS. Case No.-169 Year-2021 Thana- NOORSARAI District- Nalanda

1. Rakesh Kumar Son Of Nageshwar Prasad Resident Of Village- Khidarchak,
P.S.- Bhagan Bigha(Rahui), District- Nalanda
2. Manish Kumar Son Of Late Biresh Prasad Resident Of Village- Pariauna,
P.S.- Noorsarai, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-01-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 394, 395, 412 of the
Indian Penal Code.

It is a case of dacoity of the truck bearing
Registration No. UP-78DT-9999. Informant being the
driver of the said truck had stated that when he along
with Birendra Kumar has parked his truck to unload then
four miscreants, armed with country made pistol, tied his



hands and took the truck away.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. It is also submitted that petitioner, namely, Rakesh Kumar is languishing in judicial custody since 06.08.2021 and petitioner, namely, Manish Kumar is languishing in judicial custody since 09.07.2021. It is further submitted that petitioners are not named in the F.I.R. and their name sprang up during investigation of this case. There is no any eye witness of the alleged occurrence. It is further submitted that police has taken signature on a blank paper and narrated the association in the present case having seen the previous criminal antecedents.

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, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Noorsarai P.S. Case No. 169 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Incharge Additional District and Sessions Judge VIII, Nalanda, Bihar Sharif.

(Sunil Kumar Panwar, J)

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