

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62907 of 2022

Arising Out of PS. Case No.-823 Year-2005 Thana- PHULWARISHARIF District- Patna

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NAGESHWAR SINGH @ NAGESHWAR PRASAD SON OF LATE DEO
LAL SINGH R/O MIRZAPUR, P.S.- SIKROHRA (CHIKSOURA),
DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr. J.N.Thakur

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 24-04-2023 Heard the learned counsel for the petitioner and

learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 302, 201,
394 and 34 with subsequently added Section 412 of the Indian
Penal Code, registered in connection with Phulwarisharif
P.S.Case No. 823 of 2005.

The informant is the owner of the truck bearing
Registration No. BRIG/3101. As per allegation made in the FIR,
the driver and the cleaner of the truck proceeded with the
consignment. Thereafter it came to light that some miscreants
after killing the driver and the cleaner of the truck, took away
the truck with consignment.



The learned counsel for the petitioner has submitted that he is innocent and has falsely been implicated in this case and nothing was recovered from his conscious possession.

On the other hand, the learned APP has opposed the prayer for bail, submitting that the witness Dilip Kumar, whose statement has been recorded in paragraph no.36 of the case diary and at whose instance the truck was recovered, has stated that the petitioner along with co-accused Pappu Singh had robbed the truck and they fled away after leaving that truck. He has also submitted that the petitioner is involved in double murder case.

Considering the evidence collected during course of investigation, I am not inclined to grant the privilege of bail to the petitioner. It is accordingly rejected.

(Nawneet Kumar Pandey, J)

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