

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65186 of 2022

Arising Out of PS. Case No.-453 Year-2019 Thana- BIDUPUR District- Vaishali

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Nishant Jha @ Baba @ Nishant Kr. Jha Son Of Ganesh Jha Resident Of
Village - Rahimapur, P.S.- Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivjee Singh, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, A.P.P

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

ORAL ORDER

2 13-03-2023 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.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 392 of the
Indian Penal Code.

As per the prosecution case, four unknown miscreants
boarded on Scorpio vehicle came and fired and robbed the bag
of the informant, containing Rs. 1,09,800/- and a motorcycle
and they fled away leaving their Scorpio vehicle.

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 F.I.R. The name of the petitioner has sprung up in the confessional statement of co-accused Mukul Kumar. No T.I Parade has been conducted by the prosecution. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner is accused in four other criminal cases as stated in para 3 of the bail petition. There is nothing against the petitioner except the criminal antecedent. The petitioner is in custody since 24.01.2020 as stated in Para 15 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, 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, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 453 of 2019, with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the prosecution will be at liberty to move for cancellation
of his bail bond .

The application stands allowed.

(Chandra Prakash Singh, J)

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