

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75078 of 2023

Arising Out of PS. Case No.-57 Year-2023 Thana- MASAUDHI District- Patna

NITISH KUMAR SON OF RAMANUJ SINGH RESIDENT OF VILLAGE -
KANSARA, P.S. - MASAUHRI, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 414/34 of the IPC.

3. Allegation upon the petitioner is that he is involved in
theft of motorcycle.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place.
Petitioner is not named in the F.I.R. and has been made accused
in this case on the confessional statement of the co-accused
Judge Kumar @ Muskan, made before the police. Petitioner was
already in judicial custody but the police has not remanded the



petitioner in the present case. No incriminating article has been recovered from the conscious physical possession of the petitioner. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Masaurhi P.S. Case No.57 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. However, before accepting the bail bond of the petitioner, learned Court below is directed to verify his criminal antecedent as to whether there is any other criminal antecedent apart from the one mentioned in para-3 of the bail petition and if it is found that there is another criminal antecedent, his bail bonds shall not be accepted.

(Anjani Kumar Sharan, J)

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