

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76928 of 2023

Arising Out of PS. Case No.-1365 Year-2022 Thana- PHULWARISHARIF District- Patna

Md. Nehal Son Of Md. Kallu R/O Of Mohalla- Murgiya Chak Ishopur, P.S.-
Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the State : Mr. Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Phulwarisharif P.S. Case No. 1365 of 2022 instituted for the
offence under Sections 394 of the Indian Penal Code.

3. The prosecution case alleges that four unknown
criminals have assaulted the informant, abused him, and
thereafter, looted cash to the tune of Rs. 27,000/- along with his
purse having Rs. 7,000/- containing driving licence.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 07-08-2023. Petitioner has
five criminal antecedents.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case due to this criminal antecedents. Petitioner is not named in the F.I.R. and his name has been dragged in this case only on suspicion. Charge sheet has been submitted. No T.I. Parade has been conducted.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, nature of allegation and the charge sheet, having been submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phulwarisharif P.S. Case No. 1365 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to



cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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