

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81878 of 2023

Arising Out of PS. Case No.-1380 Year-2022 Thana- PHULWARISHARIF District- Patna

NIKKU KUMAR @ ROCKY KUMAR @ ROCKY S/o BINAY SINGH @
BAIGAN R/o MAHMAMDPUR, P.S. - DHANARUA, DIST. - PATNA,
BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Sharan

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Section 395 of the Indian Penal Code but cognizance has been taken u/s 397, 412, 413, 414 of the IPC and Section 27 of the Arms Act.

3. As per prosecution case, six unknown miscreants entered into the jewellery shop of the informant and looted an amount of Rs. 1,50,000/- and some ornaments. It is further alleged that to create fear, they fired and fled away.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is not named in the FIR and the same has been lodged against unknown persons. The name



of the petitioner has come into light, on the basis of confessional statement of co-accused Bikash Kumar, which has got no evidentiary value in the eyes of law. Nothing incriminating/looted articles have been recovered from the conscious possession of the petitioner. No T.I. Parade has been done. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 13.12.2023 passed in Cr. Misc. No. 66593 of 2023. He is languishing in judicial custody since 24.02.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Phulwari Sharif P.S. Case No. 1380 of 2022.

(Sunil Kumar Panwar, J)

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