

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80420 of 2023

Arising Out of PS. Case No.-404 Year-2023 Thana- KAUWAKOL District- Nawada

Nitish Kumar Son of Kedar Yadav Resident of Village - Doman Bag, P.S.-
Kawakole, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the State : Mr. Mritunjay Kumar Nirala, APP

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

ORAL ORDER

2 20-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Kawakole P.S. Case No. 404 of 2023 instituted for the offence
under Sections 392 of the Indian Penal Code.

3. As per prosecution case, on 04-07-2023, while
informant was going to his house, some unknown persons
assaulted, abused, snatched his motorcycle and cash, thereafter
they fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 26-07-2023. Petitioner has
no criminal antecedents.

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



counsel that petitioner has been falsely implicated in the present case. It has been submitted by learned counsel for the petitioner that due to confessional statement of co-accused, name of the petitioner has been dragged in this case. Petitioner is not named in the F.I.R. Other co-accused persons have been allowed bail by Co-ordinate Bench of this Court vide order dated 01-12-2023, passed in Cr. Misc. No. 75309 of 2023.

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, clean antecedents and claim based on parity, 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 Kawakole P.S. Case No. 404 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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