

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80788 of 2023**

Arising Out of PS. Case No.-259 Year-2023 Thana- TRIVENIGANJ District- Supaul

NANDAN KUMAR Son of Sri Urmilesh Kumar R/o vill - Machha P.O. -
Kushha, P.s. - Triveniganj, Distt. - Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 399, 402, 412, 414, 324, 420 of the Indian Penal Code & Section 25(1-B) a, 26, 35 of Arms Act.

3. On the basis of a secret information that accused Karan Tiger, who ran away from the Juvenile Home, Madhepura was roaming in Triveniganj along with his associates for committing the offence of loot, the informant along with police party reached at the place of occurrence. Seeing the police party, some of the accused persons managed to flee away, but two person were apprehended on the spot and disclosed the name of his



other associates, who were succeeded in fleeing away.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature as all the accused persons including the petitioner were only planning to commit the offence of robbery. No any stolen article has been recovered from his house. His name has been transpired in the present case merely on the basis of the confessional statements of the apprehended co-accused. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, as no offence was committed by the petitioner, 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 Triveniganj P.S. Case No. 259 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

7. However, the learned Court below is directed to verify the criminal antecedent of the petitioner before accepting the bail bond. If it is found that the petitioner is involved in any other case prior to the present case, then his bail bond shall not be accepted.

(Anjani Kumar Sharan, J)

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