

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78734 of 2023

Arising Out of PS. Case No.-204 Year-2020 Thana- NARDIGANJ District- Nawada

Bigan Kumar @ Avinash Kumar S/O Late Gouri Shankar Singh @ Gouri Singh R/O Hadiya, P.S- Nardiganj, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Ranjan, Advocate
For the State : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Nardiganj P.S. Case No. 204 of 2020 instituted for the offence under Sections 341, 323, 324, 307, 379, 448, 427, 385, 504, 506 and 34 of the Indian Penal Code and 27 of the Arms Act.

3. As per prosecution case, on 03-09-2020, at about 6:30 PM, the petitioner and his associates came at the shop of the informant and demanded Rs. 50,000/- as ransom money. It is further alleged on refusal, they assaulted him by means of bricks-stones and open fired.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 10-09-2023. Petitioner



bear one criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that co-accused, namely, Golu Kumar, Roushan Kumar and Chhotu Kumar have been acquitted in this case.

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 and the fact the co-accused have already been acquitted, 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 Nardiganj P.S. Case No. 204 of 2020 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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