

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6410 of 2024

Arising Out of PS. Case No.-213 Year-2023 Thana- SHAHKUND District- Bhagalpur

Nitish Kumar @ Nitiesh Kumar Son Of Chandrashekhar Mandal R/O-
Samitchak, P.S.-GORADIH, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Praveen Kumar, Advocate
For the State : Mr. Gauri Shankar Gupta, APP

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

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Shahkund P.S. Case No. 213 of 2023 instituted for the offence
under Section 392 of the Indian Penal Code (for brevity 'IPC').
Subsequently, Section 411 of the IPC was added.

3. As per prosecution case, informant was accosted
with four unknown persons while he was on his way and on the
point of pistol, Rs. 3,600/-, Driving licence, Aadhaar Card, PAN
Card and mobile phone were snatched, whereafter accused fled
away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 25-05-2023. Petitioner



bears 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. Petitioner is not named in the FIR. Name of this petitioner has been dragged in this case due to confessional statement of one 'Sanjiv Kumar' before the police, which has no evidentiary value in the eye of law. Petitioner was not put on T.I. Parade.

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 petitioner being not named in the FIR, 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 Shahkund P.S. Case No. 213 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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