

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9286 of 2024

Arising Out of PS. Case No.-67 Year-2023 Thana- KISHANGANJ District- Kishanganj

Nitish Kumar, S/o Late Ramu Chouhan @ Ramu Chauhan, Village- Motibagh
Near Sarswati Mandir, Ps. Kishanganj, Dist. Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kishanganj P.S. Case No. 67 of 2023, instituted for the offences punishable under Section 379 of the Indian Penal Code.

3. The prosecution case, in short, is that, the informant parked his motorcycle in the premises of his house. On 10.02.2023 at about 07:00 PM the informant saw that his motorcycle was not there and, thereafter, he searched for the same but could not find it.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. The petitioner was going to home from MGM Road and at that time



checking was going on, after seeing the police party one person left the motorcycle and the petitioner has been arrested with stolen motorcycle on the basis of suspicion. Learned counsel for the petitioner further submits that the petitioner has four criminal antecedents as has been stated in paragraph no. 3 of the present bail application and in all the cases, the petitioner is on bail. The petitioner is languishing in judicial custody since 17.02.2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kishanganj P.S. Case No. 67 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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