

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13365 of 2024**

Arising Out of PS. Case No.-17 Year-2022 Thana- PARAIYA District- Gaya

Nitish Kumar Son of Ramswarup Paswan Resident of Vill.-Kamaldah, P.S.-
Paraiya, Distt.-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Paraiya
P.S. case No. 17 of 2022 instituted for the offences under
Section 392 of the Indian Penal Code.

3. Prosecution case, in short, is that four unknown
miscreants boarded on two motorcycles intercepted the
informant and robbed Rs. 22,600/- along with other articles on
the point of pistol and fled away.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel further submitted that petitioner is not named in the F.I.R., and his name has transpired in this case on the basis of CDR and cell tower location. No incriminating article has been recovered from the possession of the petitioner. Learned counsel further submitted that T.I.P. has not been conducted till date. Similarly situated co-accused persons have already been granted bail by the Coordinate Benches of this Court vide order dated 30.08.2023 passed in Cr. Misc. No. 54947 of 2023, vide order dated 11.10.2023 passed in Cr. Misc. No. 63959 of 2023 and vide order dated 24.08.2023 passed in Cr. Misc. No. 52870 of 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.01.2023 and has six criminal antecedents.

5. Learned A.P.P. 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, claim based on parity as also 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Paraiya P.S. case
No. 17 of 2022.

(Rudra Prakash Mishra, J)

Alok Verma/-

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