

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11266 of 2024**

Arising Out of PS. Case No.-511 Year-2023 Thana- RAHUI District- Nalanda

Nago Sharma @ Nagendra Sharma @ Nagendra Mistri Son Of Late
Sukhadev Mistri R/O Village- Imamganj, Sohsarai, P.S.- Rahui, District-
Nalanda, Bihar

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

For the Petitioner/s : Mr.Gaurav Prakash, Adv.
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Rahui P.S. Case No. 511 of 2023 dated
22.11.2023 registered for the offences punishable u/ss 302, 326,
506 and 120B of the Indian Penal Code.

3. As per the prosecution case, the co-accused, Rahul
Kumar killed the informant's son under conspiracy with the
assistance of the petitioner and the other co-accused persons.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The name of the petitioner has surfaced in this case
only on the basis of secret information. The specific allegation is
against the co-accused, Rahul Kumar. There is general and



omnibus allegation against the petitioner who is the member of mob. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Nalanda, Bihar Sharif in connection with Rahui P.S. Case No. 511 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move



for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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