

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13491 of 2024

Arising Out of PS. Case No.-618 Year-2023 Thana- BARH District- Patna

Nitish Kumar S/O Ajay Kumar Singh @ Ajay Prasad Singh R/O Village-
Miralipur, P.S- Balia, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arun, Advocate
For the State	:	Mr. Rabindra 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 Barh
P.S. Case No. 618 of 2023 instituted for the offence under
Sections 395 & 397 of the Indian Penal Code.

3. Prosecution case in short is that while the
informant was sleeping at his home, some unknown miscreants
entered into the house of the informant. On ruckus, they
assaulted the informant and his staff whereafter they fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 03-10-2023. Petitioner
bears one criminal antecedent, 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 the petitioner has transpired on the basis of confessional statement of co-accused, namely, Rajiv Kumar @ Vikash Kumar, Sanni Kumar and Gautam Kumar, and the same has no evidentiary value. No incriminating article has been recovered from the possession of the petitioner. Petitioner was not put on T.I. parade. Charge sheet has already been submitted 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, manner of implication and charge sheet being submitted, 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 Barh P.S. Case No. 618 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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