

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16235 of 2024

Arising Out of PS. Case No.-179 Year-2023 Thana- ASHTHAWAN District- Nalanda

Nishant Kumar Son of Phuleshwar Paswan Resident of Village- Latipur, P.S.-
Nagarnausa, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Adv

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

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

ORAL ORDER

3 16-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Asthawan P.S. Case No. 179 of 2023 dated 18.07.2023 registered for the offences punishable u/s 395 and 397 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 18.09.2023 at about 2:00 P.M., when the informant being assistant manager, was taking breakfast with the bank's staff, suddenly, seven miscreants holding pistol and country made katta entered the bank and looted Rs. 15,04590 (4,04590+10,000 + 1,00,000) of the



Bank on the point of pistol. They also assaulted Shrawan Kumar and took passbook and cheque book of one customer. They damaged computer and fled away firing two rounds.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. and the name of the petitioner has transpired in this case merely on the basis of the suspicion. There is general and omnibus allegation against the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 01.09.2023.

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

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to 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 learned Court concerned, Nalanda in connection with Asthawan P.S. Case No. 179 of 2023, with a condition/s:-



(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 bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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