

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35312 of 2024

Arising Out of PS. Case No.-313 Year-2022 Thana- BACHHWARA District- Begusarai

Nikesh Kumar @ Dhinda @ Chhotu @ Nikes Kumar @ Dinda S/o Late
Rajkishor Singh R/o vill - Raghunandanpur, P.S. - Bhagwanpur, Distt.-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Gautam, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-05-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Sessions Trial no. 755 of
2023 arising out of Bachhwara P.S. Case no. 313 of 2022
registered under sections 392 and 397 of the Indian Penal Code.

3. As per the prosecution case, the informant states
that four accused persons on a motorcycle on the point of pistol
looted the informant of his mobile phone and other articles as
described in the F.I.R.

4. Learned counsel for the petitioner submits that the
F.I.R was registered against unknown. Referring to the order of
the learned trial Court it is submitted that the name of the
petitioner transpired in his own confessional statement made
before police which is inadmissible. No incriminating article has



been recovered from his possession. He is in custody since 17.5.2023 and charge-sheet has been submitted in the case. Co-accused Nitesh Nayan @ Murla has been enlarged on bail vide order dated 31.1.2024 passed in Cr. Misc. no. 4387 of 2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R, the material that has transpired in course of investigation as is evident from the order of the learned trial Court, no incriminating article having been recovered from the petitioner's possession who has remained in custody for about 1 year since 17.5.2023 and grant of bail to the above named co-accused vide order dated 31.1.2024, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 755 of 2023 arising out of Bachhwara P.S. Case no. 313 of 2022, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai.

(Partha Sarthy, J)

Harsh/-

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