

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40101 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- NOKHA District- Rohtas

Nirmal Kumar @ Bhola Paswan @ Bhola Son of Dinanath Paswan Resident
of Village and P.O.- MOKAR, Police Station - Agrer, District – Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 04-06-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Nokha P.S. Case no.22 of 2024 registered under section 394 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while going on his motorcycle and slowing it down near the place of occurrence due to fog, it is stated that 3-4 accused persons attacked him with *lathi*, *danda* etc as a result of which he fell down. The accused persons assaulted the informant and looted him of various articles including mobile phone etc.

4. Learned counsel for the petitioner submits that the FIR was registered against unknown. The name of the petitioner transpired in the confessional statement of co-accused Sonu Kumar made before police. No incriminating article has been recovered from the petitioner's possession and inspite of being in



custody since 6.2.2024, the petitioner has not been put on TI parade. Charge-sheet has been submitted in the case. The cause of false implication of this petitioner is his one antecedent under section 392 of the Indian Penal Code.

5. The application for bail is opposed by learned A.P.P for the State, who submits that it was on the confession of co-accused Sonu Kumar that the stolen motorcycle was recovered and he has taken the name of this petitioner.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, his name transpiring in the confessional statement of co-accused made before police, no incriminating article having been recovered from the petitioner's possession and the petitioner not having been put on TI parade inspite of being in custody since 6.2.2024 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Nokha P.S. Case no.22 of 2024 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 Additional Chief Judicial Magistrate, Rohtas at Sasaram.

(Partha Sarthy, J)

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