

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48053 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- LAKHNAUR District- Madhubani

Nitish Kumar S/O Aditya Kumar Das R/O Village-Rautiniya, P.S. Phulparas,
Distt-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Lakhnaur P.S. case No.
20 of 2024 instituted for the offences under Section 392 of the
Indian Penal Code.

3. Prosecution allegation, in short, is that the 3-4
unknown persons intercepted the motorcycle of the informant
and on the point of gun, snatched a mobile phone, two SIM
card and cash Rs. 13,000/- and also snatched his motorcycle
bearing No. BR32AD6535. The accused persons also assaulted
the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. The petitioner is not named in the F.I.R. No incriminating material has been recovered from the conscious possession of the petitioner. The name of the petitioner has transpired on the basis of confessional statement of co-accused namely Aditya Kumar Das and Md. Firoz which has no evidentiary value. Except for the confessional statement, there is no other substantive evidence to suggest the implication of the petitioner in the present case. Charge-sheet has been submitted in this case. The petitioner is in custody since 02.02.2024 and has no criminal antecedent. Co-accused has been granted bail by this Bench vide order dated 02.05.2024 passed in Cr. Misc. No. 33440 of 2024(Annexure-P/2).

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Lakhnaur P.S. case



No. 20 of 2024.

(Rudra Prakash Mishra, J)

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