

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77120 of 2024

Arising Out of PS. Case No.-302 Year-2024 Thana- BIKRAMGANJ District- Rohtas

Nitish Kumar @ Rama Shankar Yadav @ Ramashankar Yadav Son of
Chotelal Singh Resident of village- Sahadat Dihra (Shahadat Dihra), P.S.-
Dawath, District-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.
For the Opposite Party/s : Ms.Anita Kumari, APP

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

ORAL ORDER

2 26-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Bikramganj P.S. Case No. 302 of 2024 instituted for the

offences under Sections 392 & 411 of the Indian Penal

Code.

3. As per prosecution case, the Informant after

loading tomato in his pick-up was proceeding to *Chhapra*

Sabji Mandi along with two traders namely Sanjay Kumar

Chaudhary and Prince Kumar. On the way, for persons on

two motorcycles overtook his vehicle. It is further alleged

that on the point of pistol, they snatched mobile from all the



three persons and also snatched Rs. 18,000/- from Sanjay Kumar Chaudhary.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. as the same has been instituted against unknown and his name has surfaced in this case on the basis of the confessional statement of the co-accused Mukesh Kumar. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent and is languishing in judicial custody since 24.07.2024 without any rhymes or reason. The petitioner is a handicapped persons with 50% disability.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the



case as also taking into account the period of custody of the petitioner, abovenamed, 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 Bikramganj P.S. Case No. 302 of 2024.

(Rudra Prakash Mishra, J)

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