

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84369 of 2023

Arising Out of PS. Case No.-415 Year-2019 Thana- MAHUA District- Vaishali

NIKHIL KUMAR Son of Ranjeet Kumar Singh R/o Village - Madhopur,
P.O.- Mirza Nagar, P.S.- Mahua, District – Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Thakur

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 447, 341, 323, 147, 354, 342, 379, 380 and 427 of the Indian Penal Code and Sections 25(1-B)A, 26 and 35 of the Arms Act.

3. As per FIR, the informant has alleged that petitioner along with other co-accused persons as named in the F.I.R. armed with iron, lathi, danda came at the informant's door and accused Lalmohan and Awadh Kishore tried to outrage the modesty of his daughter. On protest by informant, petitioner put pistol on him and other co-accused Pappu Kishore, Jaikishore and Dipak Kumar started assaulting him with rod and danda. Co-accused Pawan Kishore, Mina Devi and Rinku Devi entered into house/shop and looted Rs. 50,000/- from the box and articles of Rs. 50,000/- and



damaged the house and shop.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to ulterior motive. Neither the petitioner was apprehended on the spot nor any incriminating or looted article has been recovered from his conscious possession. There is no consistent evidence against him. Petitioner is languishing in judicial custody since 03.10.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Vaishali in connection with Mahua P.S. Case No. 415 of 2019.

(Sunil Kumar Panwar, J)

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