

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7094 of 2025

Arising Out of PS. Case No.-137 Year-2023 Thana- JAGDISHPUR District- Bhojpur

Nitish Kumar S/O Late Shankar Singh R/O Village- Dehri, P.S-
Udawanagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

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

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

ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Jagdishpur P.S. Case No. 137 of 2023 instituted for the offence
under Section 394 of the Indian Penal Code.

3. Prosecution case in brief is that while the informant
was on his way he was accosted with three unknown miscreants,
who have assaulted him by the butt of the pistol and snatched
cash of Rs. 30,000/- and fled away on the motorcycle of the
informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 18-04-2024. Petitioner
bears four criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of his self-confessional statement and on the basis of recovery of motorcycle from his garden, which is an open place accessible to one and all. There is no compliance of Section 100 of the Cr.P.C. Learned counsel for the petitioner lastly submits that police after completion of investigation has submitted charge sheet in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. 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 Jagdishpur P.S. Case No. 137 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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