

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89210 of 2024

Arising Out of PS. Case No.-171 Year-2024 Thana- WAJIRGANJ District- Gaya

Nitish Kumar Son of Shrawan Kumar @ Shravan Kumar Resident of Village-
Kamalpur, P.S.- Muffasil, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

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

ORAL ORDER

4 24-03-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Wazirganj P.S. Case No. 171 of 2024 instituted for the offence
under Section 394 of the Indian Penal Code.

3. Prosecution case in brief is that while the informant
was returning home with his wife on a motorcycle, three armed
miscreants attempted to snatch motorcycle of the informant.
When he resisted, they shot him, causing him to fall to the
ground. Whereafter, the assailants then fled the scene.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 03-06-2024. Petitioner
bears ten 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 in this case during course of investigation. There is no recovery from the possession of the petitioner. Petitioner was not even put on T.I. Parade. Though, there is allegation that miscreants have fired, but there is no injury report on record.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph No. 41 of the case diary, it is submitted that petitioner has confessed his guilt. Charge sheet is also submitted in this case.

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, *after framing of charge, if not already framed*, 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 Wazirganj P.S.



Case No. 171 of 2024, 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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