

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41655 of 2014

Arising Out of PS.Case No. -82 Year- 2013 Thana -PANDARAK District- PATNA

=====

Nitish Kumar, Son of Late Dinesh Prasad, Resident of Village -
Chhaperatar (Megha Gachhi), P.S.- Pandarak, District – Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate.

For the Opposite Party/s : Mr. Lallan Kumar (APP)

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Pandarak P.S. Case No.82 of 2013 registered under Sections 302,
201, 147, 148 and 149 of the Indian Penal Code besides Section
27 of the Arms Act.

Learned counsel appearing on behalf of the petitioner
submits that while the petitioner is named in the F.I.R. along with
others but no specific overt act has been attributed to the
petitioner. The specific allegation is against Uday Yadav and
Binod Yadav to fire shot at Suday Yadav, the nephew of the
informant. The petitioner is only said to be the member of an

unlawful assembly. It is further submitted that the police on investigation while submitted the final form against the petitioner and one Shambhu Yadav, finding the case true against Jano alias Janardan Yadav, Uday Yadav and Shivpujan Prasad, continuing the investigation against others but after perusal of the case diary the learned A.C.J.M. Barh, Patna, took the cognizance of the offence against the petitioner.

Having considered the facts and the circumstances of the case, let the petitioner, in the event of his arrest or surrender by him within twelve weeks, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., Barh, Patna, in connection with Pandarak P.S. Case No.82 of 2013, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

P.S./-

U		T	
---	--	---	--