

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46997 of 2015

Arising Out of PS.Case No. -413 Year- 2013 Thana -FATUHA District- PATNA

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Nitesh Kumar @ Nitish Kumar, son of Kapil Yadav, resident of Village Belthan, P.S. Bakhtiyarpur District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 22-02-2016 Learned counsel for the petitioner is permitted to make necessary correction in paragraph-1 of the application.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Sessions Trial No.1094 of 2014, arising out of Fatuha P.S. Case No.413 of 2013 registered under Sections 302 and 392/34 of the Indian Penal Code besides Section 27 of the Arms Act.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R. as on the basis of the written report of the informant regarding the murder of his father, the present case was lodged against unknown. In

course of investigation, police got recorded the confessional statement of the petitioner showing his involvement in the present case. Except that, there is no material in the case diary to show the involvement of the petitioner in the present case. In fact, the petitioner is accused in 16 other cases, as detailed in paragraph-3 to the application, in which he is on bail, that is the reason the police implicated the petitioner in the present case also. The petitioner in the present case is in custody since 19.06.2014.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional District and Sessions Judge-IV, Patna City, District-Patna, in connection with Sessions Trial No.1094 of 2014 arising out of Fatuha P.S. Case No.413 of 2013. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will undertake to furnish information to the court about any change in the address of the petitioner.

(Rajendra Kumar Mishra, J)

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