

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69959 of 2018

Arising Out of PS. Case No.-457 Year-2017 Thana- BAKHTIYARPUR District- Patna

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

Appearance :

For the Petitioner/s : Mr. Prem Kumar, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-12-2018 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Bakhtiyarpur P.S. Case No. 457 of 2017 instituted for the offence under Sections 399, 402 of the Indian Penal Code and Sections 25 (1-b)a, 26 and 35 of the Arms Act.

Counsel for the petitioner submits that petitioner has not been apprehended on the spot. Three persons were apprehended by the police on the spot. They disclosed the name of petitioner. Counsel for the petitioner further submits that there is no recovery of any incriminating article from possession of the petitioner. No Test Identification Parade has been held.

Petitioner is said to be in custody in the instant case since 13.4.2018.



Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Barh, Patna, in connection with Bakhtiyarpur P.S. Case No. 457 of 2017, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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