

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21197 of 2018

Arising Out of PS.Case No. -166 Year- 2018 Thana -SITAMARHI District- SITAMARHI

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Nishant Kumar Singh @ Nishit Kumar Singh @ Nishant @ Nishit Singh,
son of Narendra Kumar Singh, Resident of village- Janki Sthan, Riga Road,
Police Station- Sitamarhi, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Sri Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 03-05-2018 Today a supplementary affidavit has been filed on behalf
of the petitioner. Let it be kept on record.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with
Sitamarhi Police Station Case No. 166 of 2018 registered for the
offences punishable under sections 341, 323, 353/34 of the Indian Penal
Code and 27/35 of the Arms Act.

The informant of this case is a Police Officer. It is alleged
that the police party apprehended two persons who were holding rifles
and on interrogation, they disclosed that the said rifles belong to this
petitioner.

It has been submitted that neither the petitioner was
present on spot nor any altercation took place with the police. Except



the disclosure of the name of this petitioner by the co-accused, there is nothing against him except three complaint case in which the petitioner is on bail, as mentioned in the aforesaid supplementary affidavit.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed and the petitioner above named, in the event of arrest or surrender before the court below within a period of six weeks, 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 the Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi Police Station Case No. 166 of 2018, subject to the condition as laid down under section 438 (2) of the Criminal Procedure Code. Further condition is that (1) one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. (2) The petitioner will not induce any witness or tamper with the evidence. (3) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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