

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5820 of 2019

Arising Out of PS. Case No.-247 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

Amit Kumar @ Nitish Kumar Son of Brajesh Giri @ Brajeshwar Giri,
Resident of Village- Madhopur, Baliya Pokhra, P.S.- Maharajganj, Dist-Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Tiwary
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-02-2019 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks regular bail in connection with Siwan Mufassil PS case no. 247 of 2018 registered for the offence punishable under Sections 399, 402, 468, 471 of Indian Penal Code and 25(1-b)a, 26, 35 of Arms Act.

The allegation is regarding the police upon receiving secret information, reached the place of occurrence where the accused persons were hatching conspiracy for committing crime, whereafter three persons were apprehended including the petitioner and upon search, one loaded pistol and five live cartridges were recovered from their possession.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case



and he is languishing in custody since 06.05.2018 i.e. for a period of more than 08 months. It is further submitted that although the petitioner is an accused in four other cases but he is on bail in the said cases and the petitioner is ready to abide by whatever conditions as may be deemed fit and proper to be imposed for the purposes of grant of regular bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. Siwan in connection with Siwan Muffasil PS case no. 247 of 2018. It is further directed that the petitioner shall mark his presence before the officer-in-charge of the concerned police station at 10.30 am on every Monday and in case of failure to do so on two consecutive occasions, the present privilege of bail shall stand cancelled automatically.

(Mohit Kumar Shah, J)

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