

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42995 of 2019**

Arising Out of PS. Case No.-641 Year-2018 Thana- LAKHISARAI District- Lakhisarai

NITISH KUMAR @ BAJARANGI, aged about 22 years, M, Son of Shri Sanjay Singh, Resident of Village - Ward No.- 12 Barhiya, P.S.- Barhiya, District - Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Smt. Sudha Ambastha, Advocate.
For the Opposite Party : Mr.Dr. Kumar Uday Pratap, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 11-07-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 13.10.2018 in a case for the offence registered under Sections 399, 402 of the IPC and 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that during the course of patrolling, the informant got information that 5-6 criminals assembled in the house of Anik Mistri to commit crime. He reached there. Seeing the police vehicle, two criminals fled away. Thereafter, he entered into the house of Anik Mistri and apprehended four persons including this petitioner and from possession of this petitioner, one country made pistol alongwith one live cartridge, cash of Rs. 20,000/-



Mobile and SIM were recovered.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. One country made pistol alongwith one live cartridge, cash of Rs. 20,000/- Mobile and SIM are alleged to have been recovered from possession of this petitioner. There is no compliance of Section 100 of Cr. P.C.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Lakhisarai, in connection with Lakhisarai P.S. Case No. 641 of 2018.

U.K./-

(Sudhir Singh, J)

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