

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43967 of 2019

Arising Out of PS. Case No.-126 Year-2011 Thana- BELSAND District- Sitamarhi

NITESH SINGH @ NITESH KUMAR @ NITESH KUMAR SINGH ,
(Male), aged about 44 years, Son of Shyam Babu Singh, Resident of Village-
Tariyani Chhapara, Police Station-Tariyani, District-Sheohar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Mukesh Kumar Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 24-07-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Sessions Trial No. 354 of 2017 arising out of
Belsand P.S. Case No. 126 of 2011 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Informant is the son of deceased, who in his
fardbeyan has stated that while his father went to take betel at
the betel shop, in the meantime, all FIR named accused
including petitioner variously armed with pistol came there and
fired upon his father and fled away, as a result of which, his
father sustained firearm injuries on left Panjara, left side of
stomach, left side of arm and right thigh. Thereafter, his father



was taken to the Hospital where he was being treated and he died during treatment.

Petitioner has earlier moved this Court for bail vide Cr. Misc. No. 67049 of 2018 which was rejected on 17.01.2019 with a liberty to renew his prayer for bail after framing of charge. Charges has been framed against petitioner on 21.06.2019.

Considering the aforesaid facts and circumstances of the case and the observation made in order dated 17.01.2019 passed in Cr. Misc. No. 67049 of 2018, petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Sitamarhi, in connection with Sessions Gtrial No. 354 of 2017, arising out of Belsand P.S. Case No. 126 of 2011 with following conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel



his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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