

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28902 of 2020

Arising Out of PS. Case No.-5 Year-2020 Thana- AMARPUR District- Banka

Nitish Kumar Yadav aged about 19 years Son of Bhutto Yadav Resident of
Village- Katahra, Police Station- Amarpur, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-12-2020 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor representing the State

through video conferencing.

The petitioner apprehends arrest in a case registered
for the offence punishable under section 307 and other ancillary
sections of the Indian Penal Code as well as section 27 of the
Arms Act.

Learned counsel for the petitioner submits that from
perusal of the FIR itself it is clear that it was co-accused
Randhir Kumar Singh who caused fire arms injury to the
informant's son and no overt act has been alleged against the
petitioner, save and except that he too was accompanying the
said co-accused in an inebriated condition. Petitioner is co-
villager and has got no criminal antecedent as stated in



paragraph 3 of the bail petition.

In the facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender, let the petitioner mentioned above be enlarged 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, Banka in Amarpur Police Station Case No. 05 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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