

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21848 of 2020

Arising Out of PS. Case No.-175 Year-2019 Thana- BHAGWANBAZAR District- Saran

Niket Kumar @ Aniket, son of Mithilesh Singh, resident of village Katra
Newaji Tola, P.S. Rivilganj, District Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. A. L. Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 07-09-2020 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State, through
video conferencing.

The petitioner seeks regular bail in connection with
Bhagwan Bazar Police Station Case No. 175 of 2019, registered
for the offences punishable under Sections 356/379 of the Indian
Penal Code and Sections 25(1-b)a/27 of the Arms Act.

The allegation against the petitioner, as per the First
Information Report, is that the motorcycle of the informant was
intercepted by three boys, who were also coming on a
motorcycle and snatched the mobile phone of the informant and
started fleeing away. It has also been alleged that when the
informant tried to catch them, they started firing and one of the



accused persons, i.e. the petitioner, was identified by the local persons. It has also been alleged that one live cartridge and one spring of magazine of the pistol fell down, which was handed over to the police by the informant.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and nothing has been recovered from the possession of the petitioner. He further submits that there is no specific allegation of firing upon the petitioner and the petitioner is in judicial custody since 11.05.2020.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that one live cartridge and one spring of magazine of the pistol were produced by the informant before the police, I am inclined to grant regular bail to the petitioner.

This application is allowed.

Accordingly, let the petitioner, above named, 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 Chief Judicial Magistrate, Saran, at Chapra, in connection with Bhagwan Bazar Police Station Case No. 175 of 2019.



It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding lockdown and social distancing.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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