

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19946 of 2021

Arising Out of PS. Case No.-313 Year-2020 Thana- SUPAUL District- Supaul

=====

Nitish Kumar @ Nitish Yadav Son Of Nageshwar Yadav @ Nago Kumar R/O
- Sakir Gaurav Garh, Ward No.06, Nagar Parishad, P.S.- Supaul, District-
Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 05-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner has filed the
supplementary affidavit today in court.

Let it be kept on record.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 365, 368, 34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He submits that victim of the case namely Bivishan Yadav
(Vibhashan Kumar) appeared before the court below and his
statement under Section 164 of the Cr.P.C. has been recorded



wherein he has stated that on 03.05.2020, Nitish called him and said that his aunty is admitted and, thereafter he gave him cold drink. There were 4-5 persons and after drinking cold drink, he fell unconscious. He further stated that they got him married to a girl of village Bhelwa (Madhepura), he does not know the name of the girl. The girl is cousin sister of friend of Nitish. He further submits that petitioner has one criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 31.10.2020.

Considering the facts and circumstances of the case and the fact that the victim has already recovered as stated in the supplementary affidavit filed by the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Supaul P.S. Case No. 313 of 2020.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

