

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29914 of 2021

Arising Out of PS. Case No.-213 Year-2020 Thana- MANSI District- Khagaria

Nitish Kumar Kumar @ Nitish Kumar S/O Bagho Yadav R/O Village- Chukti,
P.S.- Mansi, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Mansi P.S. Case No. 213/20 registered for the offence punishable under Sections 393, 353, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, allegation against the petitioner is that petitioner opened fired with country made pistol on the vehicle of the Officer-in-Charge of Sahebpur Kamal Police



Station, due to which the glass of the vehicle was broken and A.S.I *Robin Kumar Das* and A.S.I. *Diwakar Singh* who were sitting in the aforesaid vehicle sustained injury.

It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case and has not committed any offence as alleged in the FIR. He submits that it appears that the informant learnt the names of aforesaid accused persons including the petitioner from Chaukidar 01/04 *Balendra Paswan*, therefore, the informant is the hearsay witness and the statement of the aforesaid Chaukidar has not been recorded by the Police. He submits that in the impugned order it has specifically stated that injury report is not available in the case diary. He further submits that charge sheet has been filed in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has three criminal antecedents as has been mentioned in para 3 of the bail application and has been languishing in custody since 28.07.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid and the fact that there is no injury report in the case diary, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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
Mansi P.S Case No. 213 of 2020.

(Anjani Kumar Sharan, J)

GAURAV S./-

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

