

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22950 of 2020

Arising Out of PS. Case No.-11 Year-2020 Thana- BIDUPUR District- Vaishali

NITISH KUMAR @ NITESH KUMAR @ NITISH PASWAN @ NITISH KUMAR Son of Dinesh Paswan Resident of Village-Daudnagar, Motaluke Damaipatti, P.S.-Bidupur, District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rina Sinha, Adv.

For the Opposite Party/s : Mr. Shailendra Yadav, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 15-12-2021 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as the learned APP for the State.

The petitioner apprehends his arrest in connection with Bidupur P.S. Case No. 11 of 2020, registered for the offences punishable under Sections 399, 402, 413, 414 of the Indian Penal Code and 25(1-B) a/26/35 of Arms Act.

As per FIR, the police party, on information that some miscreants were planning to commit some offence, raided the place of occurrence and apprehended co-accused Ajit Kumar @ Randarwa from whose possession a pistol and cartridges were recovered. The apprehended accused Ajit Kumar @ Randarwa disclosed the name of the present petitioner and his complicity in the alleged occurrence.



Learned counsel for the petitioner has submitted that the petitioner was not present at the place of occurrence, he was not arrested and nothing was recovered from his possession. His name was figured only in the confessional statement of co-accused.

The learned APP has also submitted that there is nothing in the entire case diary against the petitioner except his name was figured in the confessional statement of the co-accused.

Considering the above-mentioned fact and circumstances, let the petitioner be released on bail in the event of his arrest or surrender within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali at Hajipur in connection with Bidupur P.S. Case No. 11 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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