

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35854 of 2020

Arising Out of PS. Case No.-227 Year-2020 Thana- DUMRA District- Sitamarhi

=====

NITESH KUMAR SAH @ NITESH PRASAD Son of Late Jaimangal Sah
Resident of ward No. 05, Banchauri, P.S. - Dumra, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg, Adv.

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2021 Heard the learned counsel for the petitioner and the learned APP for the State, Ms. Anita Kumari Singh.

The petitioner seeks regular bail in connection with Dumra P.S. Case No. 227 of 2020, registered for the offence punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The allegation is regarding recovery of one loaded pistol with cartridges from below the seat of the maruti car, being occupied by the accused persons including the petitioner herein, apart from recovery of illicit liquor.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 25.07.2020. The learned counsel for the petitioner has further submitted that the petitioner is an accused in one other case, which also arises out of the same occurrence. The learned counsel for the petitioner has further submitted that the maruti car in question does not belong to the petitioner and he was merely a passenger in the said car.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is



directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Dumra P.S. Case No. 227 of 2020.

(Mohit Kumar Shah, J)

Ajay/-

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

