

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7687 of 2021

Arising Out of PS. Case No.-134 Year-2020 Thana- SABAUR District- Bhagalpur

Nitish Kumar Son Of Ramji Tanti R/O Vill.- Birnaudh, P.S.- Goradih, Dist.-
Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-06-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner seeks bail in a case registered for the offence punishable under Sections 399/402 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

On secret information that some miscreants assembled near the pond and planning to commit crimes, a raid was conducted and arrested two accused persons whereas three persons succeeded to flee away.

Learned counsel for the petitioner submits that petitioner is innocent, not named in the FIR and has been falsely implicated in this case. He submits that petitioner has been made accused on the basis of confessional statement of co-accused Sattan Yadav. He submits that the nothing has been



recovered from the conscious possession of the petitioner. 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 14.09.2020.

In the facts and circumstances of the case, 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 Chief Judicial Magistrate, Bhagalpur in connection with Sabour (Goradih) P.S. Case No. 134 of 2020, subject to the conditions:

(1) The petitioner shall not indulge himself in any similar offence till conclusion of the trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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