

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20994 of 2022

Arising Out of PS. Case No.-1308 Year-2021 Thana- NAWADA District- Nawada

NITISH CHAUDHARY S/o Karu Chaudhary R/o village- Choudhary Nagar,
Kadirganj, P.S.- Kadirganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 12-08-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 341, 323, 307, 504, 120B of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, on extortion by co-accused to kill, the petitioner took pistol from co-accused and fired on the informant which hit his left side of the chest, penetrating through his body and hit another person namely Vikash Kumar who was playing behind the informant.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on account of land dispute. The informant and petitioner



are full brothers. The injury is simply in nature caused by firearms. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 17.01.2022.

Learned A.P.P. for the State Shri Md. Aarif has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances as well as the simple nature of the injury, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Nawada Town P.S. Case No. 1308 of 2021, with a condition:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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