

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41086 of 2021

Arising Out of PS. Case No.-80 Year-2021 Thana- KAMTAUL District- Darbhanga

Nitesh Kumar Thakur @ Nitaish Kumar Son of Parsan Thakur @ Pasan Thakur Resident of Village- Ratanpur (Bharwara), P.S.- Kamtaul, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Baidya Nath Prasad, Advocate
For the Opposite Party : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 05-01-2022 This application has been taken up for online hearing through video conference because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for regular bail arises out of Kamtaul P.S. Case No. 80 of 2021, disclosing offence punishable under Sections 147, 148, 149, 341, 323, 307, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

The petitioner is in custody since 10.05.2021. It is stated in paragraph-3 of the application that he has no criminal antecedent. The informant claims to be Night Guard of a school and has alleged that this petitioner and others including four



named entered into the school premises and under the threat of life they demanded keys of the smart class of the school. There is allegation of opening fire against the persons named in the F.I.R.. No fire was admittedly aimed at the informant.

Learned counsel appearing on behalf of the petitioner has submitted that the informant is the petitioner's uncle and because of enmity arising out of land dispute, a false case has been instituted.

Be that as it may, considering the fact that the informant has not sustained any injury and there is no allegation of assault made by firearm, in my opinion, case of grant of regular bail is made out. This application is accordingly allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount, each to the satisfaction of learned J.M. 1st Class, Darbhanga in Kamtaul P.S. Case No. 80 of 2021.

(Chakradhari Sharan Singh, J)

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