

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43393 of 2021**

Arising Out of PS. Case No.-159 Year-2021 Thana- SHEKHPURA District- Sheikhpura

NITISH KUMAR SON OF RAM BALAK YADAV R/O MOHALLA-
GIRIHINDA, P.S.- SHEIKHPURA, DISTRICT- SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 15-02-2022 The instant case has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP for the State, Sri Satya Nand Shukla.

The petitioner seeks regular bail in connection with Sheikhpura P.S. Case No. 159/2021, registered for the offence punishable under Sections 25(1-b)/26/35 of the Arms Act.

The allegation is regarding the police having



reached the house of the petitioner and upon search, one country made pistol was recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 20.3.2021. The learned counsel for the petitioner has further submitted that the petitioner has already been suitably punished on account of his incarceration.

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 materials available on record as also considering 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, Sheikhpura in connection with Sheikhpura P.S. Case No. 159/2021.

(Mohit Kumar Shah, J)

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