

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48688 of 2021**

Arising Out of PS. Case No.-100 Year-2021 Thana- AMARPUR District- Banka

NITISH KUMAR @ RITESH KUMAR S/o ASHOK YADAV R/o
BASUDEOPUR, P.S-AMARPUR, DISTRICT-BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 16-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 399 and 402 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act.

As per the prosecution case, on receiving information about the accused persons having gathered to give effect to an occurrence, it is stated that a raid was conducted and from the possession of the petitioner, a loaded country made pistol was recovered.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the petitioner's possession who has been falsely implicated in the



case. He is in custody since 21.2.2021 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for more than 11 months, the Court directs the petitioner to be enlarged on bail in connection with Amarpur P.S. Case no.100 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka.

(Partha Sarthy, J)

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