

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50968 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- SHERGHATI District- Gaya

NITISH KUMAR S/o Ram Swaroop Paswan @ Ramswarup Paswan R/o
village- Kamaldah, P.S.- Paraiya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-12-2022 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.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 414 read with
34 of the Indian Penal Code and sections 25(1-b)(a), 26, 35 and
27 of the Arms Act.

As per the prosecution case, the police arrested one
miscreant who disclosed his name as Nitish Kumar and
recovered a country-made pistol, a mobile phone from his
possession. He also disclosed the name of the miscreants who
ran away as Haridaya Paswan and Raju Paswan.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Charge-sheet has also been submitted against the petitioner. The petitioner is accused in four other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 18.01.2022

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

Considering the aforesaid facts and circumstances of the case as well as the period of detention, the petitioner above-named, is directed to be enlarged 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 learned Court concerned, Gaya in connection with Sherghati P.S. Case No. 54 of 2022, with a condition that:-

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 prosecution will be at liberty to move for cancellation of his bail bond.

The application stands allowed.

(Chandra Prakash Singh, J)

Ayush/niku/-

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