

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52607 of 2022

Arising Out of PS. Case No.-15 Year-2022 Thana- BELA District- Sitamarhi

Saka @ Nitish Kumar @ Sajan @ Raja Son Of Suresh Prasad R/O Village-
Atwal Chak, P.S.- Tharthari, District- Nalanda

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mrs.Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner seeks bail in a case instituted for the
offences under Sections 399, 402, 414, 467, 468, 471 of the
Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.

Prosecution allegation, in short, is that on secret
information regarding the accused persons when the informant
reached the place of occurrence, one person was apprehended
by police and a loaded country made pistol, one magazine and
six live cartridges were recovered.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 18.01.2022. Charge-sheet/prosecution report has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. A loaded country made pistol with six live cartridges have been recovered. There is no compliance of Section 100 of Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 Chief Judicial Magistrate, Sitamarhi in connection with Bela P.S. Case No. 15 of 2022.

(Sudhir Singh, J)

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