

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71924 of 2021

Arising Out of PS. Case No.-315 Year-2021 Thana- HILSA District- Nalanda

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Nitish Kumar Son of Mohan Yadav Resident of Village - Bhadoul, P.S.- Hilsa,
District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 17-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Hilsa P.S. Case No. 315 of 2021 lodged under Sections 341,
323, 326, 307, 504, 34 of the I.P.C. read with Section 27 Arms
Act.

As per the prosecution case, the allegation against the
petitioner is to make gunshot on the father of the informant
which hit his left leg and he was referred to P.M.C.H.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that from the occurrence of the date, there were F.I.R. lodged

from both the sides. Injury was also from both the sides. He further submits that injury report of the father of the informant is there which shows that the injury occurred in the leg by hard and blunt substances and not by fire arm. Learned counsel for the petitioner further submits that petitioner is in custody since 06.07.2021 having 3 criminal cases pending against him and he is on bail in all the 3 cases. Learned counsel for the petitioner submits that he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M- 1st, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 315 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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