

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72614 of 2021

Arising Out of PS. Case No.-677 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

NITESH KUMAR Son of Late Mishri Lal Singh Resident of Village- Majiya,
P.S.- Goroul, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 188 and 414 of the Indian Penal Code read with Section 52 of the Prisoners Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 10.09.2020, charge-sheet has been submitted in the case and has antecedent of two cases

The informant (Jail Superintendent, Hajipur Sadar) alleges that from petitioner recovery of one mobile phone with sim and battery was made in the forenoon of 24.10.2020 during search of ward.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is



submitted that it is the Jail Superintendent who should be charged and an F.I.R. be instituted against him that as to how the mobile reached the ward of the prisoner. It is further submitted that it is the jail police and the Superintendent in connivance supply mobile etc. to the prisoners to facilitate them for conversing and at the same time planning crimes. Learned counsel submits that nothing was recovered from the conscious possession of the petitioner.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 10.09.2020, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail 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 court below where the case is pending/successor court in connection with Hajipur Sadar P.S. Case No. 677 of 2020.

(Satyavrat Verma, J)

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