

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16100 of 2023**

Arising Out of PS. Case No.-24 Year-2019 Thana- TARIYANI CHAPRA PS District-
Sheohar

=====

Nitesh Singh @ Nitesh Kumar Singh @ Maharaj Ji Son Of Shyam Babu
Singh R/O Village- Tariyani Chapra, P.S.- Tariyani Chapra, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Nityanand

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 302/34
pf the Indian Penal Code and Section 27 of the Arms Act.

As per FIR, it is alleged that three persons who
had fully covered their faces came at the door of the
informant and started firing as a result of which the
deceased who is brother of the informant died.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case merely on the basis of confessional statement of co-accused. Neither the petitioner is named in the FIR, nor any incriminating article has been recovered from his conscious possession. As per para-8 of the petition it is submitted that the alleged date and time of the occurrence is 06.06.2019 at 08:00 P.M. and at that relevant time the petitioner was in Motihari jail in connection with Chakiya P.S. Case No. 273 of 2015. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 17.12.2020 passed in Cr. Misc. No. 30375 of 2020. It is further submitted that the petitioner is languishing in judicial custody since 17.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Tariyani Chapra P.S. Case No. 24 of 2019 on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned Sessions Judge,
Sheohar.

(Sunil Kumar Panwar, J)

Manishkumar/-

U		T	
---	--	---	--

