

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28104 of 2023

Arising Out of PS. Case No.-273 Year-2022 Thana- DUMRA District- Sitamarhi

NITISH KUMAR @ SHAKA SON OF SURESH PRASAD RESIDENT OF
VILLAGE- ATVALCHAK, PS- THARTHARI, DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Smiti Bharti

For the Opposite Party/s : Mr. Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

2 18-05-2023 This case has been listed out of turn at the instance of the learned counsel for the petitioner through a mentioning slip on the ground that the marriage of the petitioner has been fixed on 28.05.2023. The invitation card has been annexed with the mentioning slip at Flag- 'A'.

Heard learned counsel for the petitioner as well as learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Dumra P.S. Case No. 273 of 2022, registered for the offences punishable under Sections 342, 307, 323 of Indian Penal Code.

As per allegation, the petitioner who is under trial prisoner assaulted the life convict in prison, who is informant of this case.

The learned counsel for the petitioner has submitted that the petitioner is innocent and in all the cases he is on bail. But,



he could not be released for the allegation leveled against the petitioner in the present case.

Considering the above-mentioned facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned court of C.J.M., Sitamarhi in connection with Dumra P.S. Case No. 273 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

The Superintendent of Police, Sitamarhi is directed to inquire into the matter regarding authenticity/veracity of marriage of the petitioner scheduled to be held on 28.05.2023 and report this Court within two weeks. Office is directed to issue letter at once.
List on 03.07.2023.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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