

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31643 of 2023

Arising Out of PS. Case No.-293 Year-2022 Thana- JAHANABAD District- Jehanabad

Nitish Kumar Son of Late Uday Yadav Resident of village-Anauli, P.S.-
Bhagwanganj, District-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 302, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the allegation against the unknown miscreants is that they have committed murder of the informant's father by opening fire.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has committed no offence. The petitioner is not named in the F.I.R. He has falsely been implicated in the present case on the basis of his previous criminal antecedents. No any incriminating article has been recovered from the conscious possession of the petitioner.



During investigation, save and except his confessional statement, there is no consistent evidence has come against the petitioner which shows his complicity in the alleged offence. It is also submitted that petitioner is languishing in judicial custody since 14.11.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Jehanabad (Karauna) P.S. Case No.293 of 2022 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 Chief Judicial Magistrate, Jehanabad.

(Sunil Kumar Panwar, J)

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