

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46409 of 2023

Arising Out of PS. Case No.-357 Year-2022 Thana- SAKRA District- Muzaffarpur

NITISH KUMAR @ NITESH KUMAR Son of Nand Kishore Sah Resident
of village - Champapur Agrail, P.S. - Baligaon, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr.Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-08-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

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

3. The petitioner has preferred this application for
grant of regular bail in connection with Sakra P.S. Case No. 357
of 2022 dated 11.07.2022 registered for the offence punishable
u/s 399, 402, 411 and 412 of the Indian Penal Code and Sections
25(1-B)a, 26 and 36 of the Arms Act.

4. As per the prosecution case, on secret information
the police conducted raid and apprehended nine persons,
including the petitioner. It is further alleged that two accused



persons succeeded in fleeing away, however, on search, various incriminating materials, including arms and ammunition have been recovered from the possession of the accused persons.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused persons have already been granted bail by the Co-ordinate Bench of this Court *vide* order dated 25.02.2023 passed in Cr. Misc. No. 66500 of 2022. The petitioner is accused in seven other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 12.07.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur East in connection with Sakra P.S. Case No. 357 of 2022, with the condition :-

(i) The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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