

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58556 of 2022

Arising Out of PS. Case No.-499 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

NITISH KUMAR @ GOLU Son of Birendra Rai Resident of Village -
Sarariya, P.S.- Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Hajipur Sadar P.S. Case No. 499 of 2022 for the offence registered under Sections 399 and 402 of the Indian Penal Code and Sections 25 (1-b) a, 26 and 35 of Arms Act.

The petitioner along with other accused persons is stated to have been apprehended by police force while they were traveling in an Alto car and upon search, as far as the petitioner is concerned, one country made pistol with one live cartridge is stated to have been recovered.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 02.07.2022. It is also stated that the petitioner is accused in three other cases but he is on bail in the said cases. Lastly, it is submitted that considering the period of incarceration, the petitioner be granted the privilege of bail.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction
of learned Chief Judicial Magistrate, Vaishali at
Hajipur in connection with Hajipur Sadar P.S. Case
No. 499 of 2022.

(Mohit Kumar Shah, J)

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