

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72099 of 2023

Arising Out of PS. Case No.-268 Year-2021 Thana- DHAMDAHA District- Purnia

Nitish Kumar @ Nitish Kumar Paswan, Son of Sikandar Paswan @ Sikindra
Paswan, R/O Village - Itahri, P.S.- Alam Nagar, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi, Adv.

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-12-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sessions Trial No. 507 of 2022 arising out of Dhamdaha P.S.
Case No. 268 of 2021 dated 27.11.2021 registered for the
offences punishable under Sections 302 read with 34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. This is second attempt of the petitioner for the
relief of regular bail after his earlier bail prayer was rejected
by this Bench vide order dated 15.03.2023 passed in Cr.
Misc. No. 69105/2022 preferred by this petitioner.

4. The fresh grounds taken by the petitioner for
the relief of regular bail in his second attempt are that in the



earlier rejection order, this Court has granted a liberty to the petitioner to renew his bail prayer after framing of charge and the same liberty was also granted to other co-accused person namely Roshan Kumar Paswan @ Roushan Kumar Paswan @ Roshan Kumar and while granting the said liberty, this Court had taken into consideration of their fair and clean antecedent and in the light of the said liberty, this petitioner has again come before this Court for the relief of regular bail as his trial has started and charges have been framed upon him on 01.04.2023 and considering the said liberty, co-accused named above has also been granted bail by this Court vide order dated 15.09.2023 passed in Cr. Misc. No. 60424/2023.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions and mainly taking into account the petitioner's fair and clean antecedent and stage of his trial, this Court is now inclined to accept his bail prayer. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the



satisfaction of the Court concerned in connection with
Sessions Trial No. 507 of 2022 arising out of Dhamdaha P.S.
Case No. 268 of 2021.

(Shailendra Singh, J)

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