

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27047 of 2024

Arising Out of PS. Case No.-264 Year-2023 Thana- SUPAUL District- Supaul

Nitish Kumar @ Nitish Yadav Son of Late Baidhnath Yadav @ Late Bhulan
Yadav Resident of village- Gauravgarh, Police Station and District- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Jagdhar Prasad

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Supaul
P.S. Case No. 264 of 2023 instituted for the offence under
Sections 341, 323, 379, 302 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is
alleged to have committed murder of the son of the informant
and thrown his dead boy. When the informant found dead body
of his son, he registered the FIR, against the petitioner along
with others.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 08-11-2023. Petitioner
bears two criminal antecedents as mentioned para-3 of the bail



petition.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. The informant is not an eye witness of the alleged occurrence. There is no specific allegation levelled against the petitioner rather general and omnibus allegation has been levelled against him. Charge-sheet has been submitted in this case. Co-accused has been granted bail by this Court *vide* order dated 20-03-2024, passed in Cr. Misc. No. 22124 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Supaul P.S. Case No. 264 of 2023.

(Rudra Prakash Mishra, J)

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