

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25973 of 2024

Arising Out of PS. Case No.-152 Year-2023 Thana- BARGAINIA District- Sitamarhi

Nitish Rai @ Nitesh Rai S/o Ganesh Rai @ Ganeshi Rai R/o vill - Naranga
(North, Ward no. 2), P.S. - bela, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402, 414 of the Indian Penal Code, section 8/20(b)(ii)(c) of the NDPS Act and Section 25(1-b)a, 26, 35 of Arms Act.

3. Prosecution case relates to recovery of two live cartridges from possession of the petitioner and he is said to have been apprehended on spot. Charas like contraband substance was recovered from other co-accused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has not concerned with the alleged recovery of cartridges or with other



co-accused persons. It is also submitted that co-accused Raju Chaudhary has already been enlarged on bail granted by this Court vide order dt. 8.11.2023 passed in Cr. Misc. No. 72107 of 2023. Moreover, he is languishing in judicial custody since 22.6.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bairgania P.S. Case No. 152 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Sitmarhi.

(Sunil Kumar Panwar, J)

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