

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28280 of 2024

Arising Out of PS. Case No.-71 Year-2022 Thana- BAGENGOLA District- Buxar

Nitish Singh @ Nitish Kumar Singh @ Nitish Kumar Son of Kanhaiya Singh
Resident of Village- Nuaon, P.S.- Bramhpur (Krishna Brahm), District- Buxar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 10-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no. 74 of 2024, arising out of Bagengola P.S. Case no. 71 of 2022 registered under sections 302,120B and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that his younger brother was taken away by one Ramesh Yadav over a dispute relating to return of the amount of loan to the tune of Rs. 1.5 lakhs. It is further stated that on his younger brother not returning and on the informant making inquiries from the said Ramesh Yadav, he was informed that his brother had been sent with two persons including the petitioner herein for treatment. Subsequently the dead body



of the informant's brother was recovered.

4. It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 7.3.2024 (Annexure-1) passed in Cr. Misc. no. 83027 of 2023 giving liberty to the petitioner to renew his prayer for bail after framing of charge. Referring to the order dated 16.3.2024 as contained in Annexure-4, it is submitted that charge has been framed against the petitioner in the learned trial Court. The petitioner is in custody since 7.6.2023 and undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, liberty granted to the petitioner by the aforesaid order of rejection dated 7.3.2024 and charge having been framed in the case together with the petitioner having remained in custody for 10 months since 7.6.2023, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 74 of 2024 (arising out of Bagengola



P.S. Case no. 71 of 2022) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge - III, Buxar.

(Partha Sarthy, J)

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