

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33772 of 2024

Arising Out of PS. Case No.-221 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

Nitesh Kumar @ Nitish Kumar Son of Satyendra Kumar @ Satyendra Singh
Resident of Village- Kusumhi, P.S.- Udwananagar, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 307, 302, 504 & 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The petitioner along with other co-accused is said to have surrounded the informant and his family members and caught one Collector Singh on gun point and on instigation of one Shiv Shankar Singh, co-accused Jitendra Singh fired upon Collector Singh causing injury to him. When the informant and his father, Suresh Singh tried to escape from there, co-accused Harendra Singh and Hareram Singh restrained them escaping and co-accused Satendra Singh fired on right side of



body of Suresh Singh resulting in his instant death at the place of occurrence itself. The informant and others brought Suresh Singh and Collector Singh to Sadar Hospital Ara where the doctor declared Suresh Singh dead and referred Collector Singh to Patna for better treatment where he died during course of his treatment.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the petitioner is a student and preparing for competitive exam and only with a view to spoil his career he has been made accused in this case. The petitioner has no criminal antecedent and has been languishing in custody since 07.03.2024.

5. Learned APP for the State opposed the bail petition.

6. Considering the facts and circumstances of the case as well as the fact that no specific overt act has been attributed against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below



where the case is pending/successor Court in connection with Udawantnagar P.S. Case No.221 of 2021.

7. Before parting, I would like to mention that while hearing regular bail applications, I found that there is no uniformity in mentioning the period of custody rather it depends upon the whims and fancies of the person who is drafting the regular bail application. When query in this regard is made to learned counsel present in the Court, they failed to satisfy but they agree on this point that it should be mentioned in the first paragraph of the application at the last, which shall be convenient for all.

8. In such view of the matter, I direct the learned Registrar General of this Court to issue direction to the Stamp Reporting Section to comply the aforesaid direction forthwith and a general notice may also be issued for the knowledge of the learned Advocates.

9. The office is directed to place the matter before the learned Registrar General for needful.

(Anjani Kumar Sharan, J)

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