

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41740 of 2024

Arising Out of PS. Case No.-191 Year-2024 Thana- SHASTRINAGAR District- Patna

Nitish Kumar @ Kallu Son of Awdhesh Kumar Singh R/O Body Builder Gali,
P.S.- Hawai Adda, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.
For the State : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Shashtri Nagar P.S. Case No. 191 of 2024 dated 03.03.2024 registered for the offences punishable u/ss 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have assaulted the informant's brother and when the informant tried to stop them then the accused persons threatened to kill her entire family if she did not withdraw the earlier case. Thereafter, the informant was taking away her brother towards her house then the accused persons started assaulting them with lathi, danda, iron rod, bricks and stones and the co-accused, Dhiraj Kumar



fired from his pistol but somehow they saved their life.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The allegation of firing from a pistol is against one Dhiraj Kumar. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 20.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Shashtri Nagar P.S. Case No. 191 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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