

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46300 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- BITHAN District- Samastipur

NITEESH KUMAR SON OF PRMOD YADAV VILLAGE- KHAIRAKOT,
P.S.- BITHAN, DISTT.- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajit Kumar, Adv.

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-07-2024 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 Bithan P.S. Case No. 35 of 2024 dated 19.04.2024 registered for the offence/s punishable u/ss 323, 341, 307, 385 read with section 34 of the Indian Penal Code and sections 25(1-B)a, 26, 27, 35 of the Arms Act.

3. As per the prosecution case, four miscreants boarded on two motorcycles came and started abusing and the co-accused Shivam Kumar and Yuvraj Kumar pointed country made Katta on the informant with intent to kill. On halla, people started gathering there and the co-accused fled away but the petitioner and the co-accused Yuvraj Kumar were apprehended



and a country made Katta and a live cartridge were recovered from the possession of the co-accused Yuvraj Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.04.2024.

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, Samastipur in connection with Bithan P.S. Case No. 35 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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