

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48326 of 2024

Arising Out of PS. Case No.-245 Year-2023 Thana- KHODAWANDPUR District- Begusarai

Nitish Kumar @ Aryan Kumar @ Aryan Kumar Singh Son Of Ram Jeevan
Mahto Village- Chakwa, Ps- Khodwandpur, Dist- Begusarai Petitioner
Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, A.P.P.
Mr. Aditya Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner, the State and the informant.

2. Petitioner seeks regular bail in a case registered for the offence punishable under sections 302/120B/34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, at about 1 pm the petitioner and his two companion Mukesh Paswan and Satish Kumar took the brother of the informant with them on the pretext of purchasing a mobile phone and same day in the evening information was received that informant's younger brother was murdered with gun shot.

4. Learned counsel appearing for the petitioner submits that the informant is not the eye witness of the occurrence and petitioner has falsely been implicated in this case only on suspicion. Learned counsel submits that save and except suspicion, there is no other direct or indirect evidence against the petitioner to show his complicity in the occurrence. He is in custody since 12.3.2024.

5. Learned counsel for the State and the informant oppose the prayer for bail. They submit that the petitioner is named in the FIR with specific allegation that he and his companion took the victim with them on the pretext of



purchasing a mobile phone and same day the dead body was received with gun shot injury. Petitioner has got nine criminal antecedents.

6. Considering the nature and gravity of allegation and the criminal antecedents of the petitioner, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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