

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50233 of 2024

Arising Out of PS. Case No.-1571 Year-2023 Thana- DANAPUR District- Patna

Nitesh Kumar S/o Late Dinesh Sharma @ Dinesh Kumar R/o Sheikhpura,
P.S. Naubatour, Dist. Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mrigank Mauli, Sr. Advocate Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 13-12-2024 Heard the parties.

2. Petitioner seeks regular bail in connection with Danapur P.S. Case No.1571 of 2023, registered for the offence punishable u/s 302, 120-B, 34 of IPC and Sections 25(1-b)a/ 26/ 27/ 35 of Arms Act.

3. As per prosecution case, two persons started firing in the parking area of a court campus. Both co-accused apprehended on the spot and two pistols and 8 live cartridge were recovered from their possession. Injured person died during the treatment. The allegation against the petitioner is that he supplied arms to the co-accused who fired in the Danapur Civil Court.

4. It is submitted by learned senior counsel for the petitioner that the petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No incriminating



article was recovered from the conscious physical possession of the petitioner. He is not named in the FIR. It is further submitted that there is no specific overt act attributed against the petitioner. No TIP has been conducted to confirm the involvement of the petitioner in the present case. The petitioner has been arrested by the police after lapse of more than ten days. Petitioner has two criminal antecedent and has been languishing in custody since 02.02.2024.

5. Learned APP for the State opposed the prayer for bail and submits that the petitioner himself confessed everything in his confessional statement.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner supplied arms to the co-accused, I am not inclined to enlarge the petitioner on bail. The prayer for grant of regular bail on his behalf is hereby rejected.

7. This application is accordingly dismissed.

8. However, petitioner shall be at liberty to renew his prayer for regular bail after framing of charge.

(Anjani Kumar Sharan, J)

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