

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58697 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- GAYA MUFASIL District- Gaya

Nitesh Kumar @ Nitish Kumar S/o- Paras Rao@Paras Prasad Resident of
Village- Bahora Bigha, P.S. Muffasil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Ms.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-09-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147,
148,149, 341, 323, 337, 307, 504, 506 and 34 of the Indian
Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case. It is next submitted that
from the side of the petitioner Md. Umair had instituted
Muffasil P.S. Case No.43/2024 against the informant and his
side, this infuriated the informant to falsely implicate the
petitioner in the instant case when allegation of firing is against
Vishnu Pandey. It is next submitted that no doubt the informant
received gunshot injury and firing was also done and seven



cartridges were recovered from the place of occurrence but then the petitioner is not alleged to have fired or caused firearm injury.

4. Learned counsel for the petitioner submits that 14 named and 14 unknown persons have been made accused in the instant FIR with general and omnibus allegation and police after investigation with respect to some of the accused has come to a conclusion that they were not present at the place of occurrence and investigation with respect to the petitioner is still continuing. It is also submitted that similarly situated co-accused Md. Shamsad had approached this Court by filing Cr. Misc No. 35714 of 2024 and the same was allowed by an order dated 25-6-2024 with certain condition.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where



the case is pending/successor court in connection with Muffasil P.S. Case No.51/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that in the event if charge sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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