

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62449 of 2024

Arising Out of PS. Case No.-157 Year-2022 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Nitish Kumar, aged abot 23 years, Male, S/o- Ganjesh Paswan @ Ganja
Paswan @ Ganesh Paswan, R/O Village- Pahsara, P.S-Nowkothi, Distt-
Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Jitendra Sinha, Advocate

For the Opposite Party : Mr. Ajit Kumar, A.P.P.

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

ORAL ORDER

2 19-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Nawkothi P.S. Case No. 157 of 2022 dated 23.10.2022
registered for the offences punishable under Sections 302 and
120B of the I.P.C.

3. As per the prosecution case, on 22.10.2022 at about
9.00 P.M., the informant got information that his elder brother,
namely, Ajay Paswan, was killed by some unknown miscreants
with bricks and stones. Thereafter, he came and found the dead
body of his elder brother by the side of his house near the
Bajrangbali Asthan.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. His name has surfaced in the present case on the basis of information furnished by the spy. It is further submitted that the elder brother of the informant is a criminal minded and he was sent to jail and he was also a habitual drunkard and used to have fights with many people in the locality. There is general and omnibus allegation against the petitioner. No incriminating article has been recovered from his possession. It is submitted that the other co-accused persons, namely, Mahendra Paswan and Gangesh Paswan @ Ganga Paswan have already been granted bail by a Bench of this Court vide Cr. Misc. No. 44100 of 2023 under order dated 26.07.2023. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 28.03.2024.

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 J.M. Ist Class,
Begusarai in connection with Nawkothi P.S. Case No. 157 of
2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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