

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80532 of 2023

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 R/O VILLAGE- CHAKWA, P.S.-
KHODAWANDPUR, DISTRICT- BEGUSARAI

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s	:	Mr. Anshu Dhar Sharma, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner and
the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 302, 120(B) and 34 of the Indian Penal Code and section 27 of Arms Act.

3. The prosecution case , in brief, is that on the alleged date and time of occurrence this petitioner took



the brother of the informant on the pretext of purchasing a mobile and in the evening the information was received by the informant that his younger brother, namely , Dhiraj Kumar had been murdered by gunshot.

4. It is submitted on behalf of the petitioner that the petitioner has falsely been implicated in this case. The informant is not an eyewitness to the alleged occurrence. There is no allegation of any overt act alleged against this petitioner, and he is no way connected with the alleged occurrence .

5. Learned counsel for the State opposes the prayer for bail and submits that from bare perusal of case diary , it is the specific case of the petitioner that this petitioner along with other co-accused persons, on the pretext of purchasing a mobile took the brother of the informant on motorcycle and thereafter he was shot dead. He further submits that petitioner has got 9 criminal antecedents.

6. Considering the nature of accusation and criminal antecedents of the petitioner, prayer for per-



arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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