

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85507 of 2023

Arising Out of PS. Case No.-418 Year-2023 Thana- MURLIGANJ District- Madhepura

Nitish Kumar Yadav@ Nitish Kumar SON OF SHYAMSUNDAR YADAV
RESIDENT OF VILLAGE- GANGAPUR, WARD NO. 06, PS- MURLI-
GANJ, DISTT- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Verma

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner is languishing in custody in a case
registered for the offences punishable u/s 393 of the IPC
and Sections 25(1-B) a, 26, 35 of the Arms Act.

There is recovery of one country made pistol from
the possession of co-accused, namely, Kundan Kumar and
the petitioner was also apprehended on the spot along with
co-accused.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely been
implicated in this case. Nothing has been recovered from



the conscious possession of the petitioner. The petitioner has no concern with the seized arms or the co-accused person. The petitioner is languishing in custody since 29.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail, on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhepura in connection with Murliganj P.S. Case No. 418 of 2023.

(Sunil Kumar Panwar, J)

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