

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7455 of 2025

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

Nitesh Kumar S/O Late Dinesh Sharma @ Dinesh Kumar R/O Village-Shekhpora, P.S- Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shiwani Kumari, Adv.

For the Opposite Party/s : Mr. Madhura Nand Jha, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-03-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the offences punishable u/s 302, 120-B, 34 of the Indian Penal Code and Section 25(1-b)a/26/27/35 of the Arms Act.

3. The allegation against the petitioner is that he supplied arms to the co-accused persons who opened fired in the Danapur Civil Court campus.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. He has falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and



based on concocted facts. Nothing specific has been alleged against the petitioner. No incriminating article was recovered from his conscious physical possession. He is not named in the FIR. Nothing specific has been attributed against him. It is further submitted that petitioner is not the registered owner of the said white/grey Tata Safari which was used in delivery of arms to the co-accused persons. No TIP has been conducted to confirm the involvement of the petitioner in the present case. It is further submitted that earlier vide order dated 13.12.2024 passed in Cr. Misc. No. 50233 of 2024, the prayer for bail of the petitioner was dismissed with an observation that the petitioner would be at liberty to renew his prayer for bail after framing of charge. In compliance thereof, the charge has been framed against the petitioner on 04.01.2025. Learned counsel further submits that petitioner has two criminal antecedents and he has been languishing in custody since 02.02.2024.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the arguments of the parties, the period of custody and the fact that charge has been framed against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like



amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Danapur P.S. Case No.1571 of 2023, subject to the following conditions:

(1) One of the bailors will be own close relatives of the petitioner who will give an affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.



(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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