

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23376 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- DEWARIA District- Muzaffarpur

Nitesh Kumar @ Niteesh Kumar @ Nitish Kumar Son of Late Kriti Sahani @
Late Kriti Sahni Resident of village - Hussepur, Naya Tola, P.S.- Sahebganj,
District – Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar,

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 28-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Dewaria P.S. Case No. 80 of 2024 registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code and Section 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution story, on 13.04.2024, SI – Ram Vinay Kumar along with police force reached Vishunpur Sariya at 4:00 P.M. they saw that 5-6 men were standing near the canal. On suspicion, when police tried to approach them, they started fleeing away. Among 6 men, three persons were apprehended and three succeed to flee away. When the police



searched them, two country made pistols, one live cartridge and two motorcycles were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has committed no offence. All allegations levelled against him is wrong, false, baseless and fabricated. No such type of occurrence in the manner alleged or in any other manner involving the petitioner ever took place and the entire allegation levelled against the petitioner is cock and bull story having no relationship with the truth. No incriminating article has been recovered from his possession or from his house. Petitioner is in custody since 14.04.2024.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 5th, West Muzaffarpur in connection with Dewaria P.S. Case No. 80 of 2024 subject to the following conditions :-

(i). He will remain physically present on each and



every date in the Trial Court till the disposal of this case.

(ii). One of the bailor will be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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