

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24701 of 2025

Arising Out of PS. Case No.-772 Year-2022 Thana- GAURICHAK District- Patna

Nitish Kumar @ Nitish Singh @ Gopal Singh S/o- Binod Singh Resident of
Gabaspur P.S- Gaurichak, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhukar Anand

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 20-06-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 307, 506 and 120(B) of the
Indian Penal Code read with Section 27 of the Arms Act in
connection with Gaurichak P.S. Case No.772 of 2022.

3. The learned counsel for the petitioner submits that
petitioner had earlier moved this Court seeking regular bail by
filing Criminal Miscellaneous No. 51151 of 2024 and the same
came to be rejected by an order dated 18.10.2024, it is next
submitted that petitioner is in custody since 05.02.2024 and the
informant alleges that on 20.11.2022 he had gone to attend *Tilak*
ceremony of the son of Dharmendra, where a dispute with
regard to partition of land took place with Dinanath and Binod,



thereafter, Dinanath and Binod asked Nitish (petitioner) to bring arms for killing the informant, on which Priyanka brought arms from her house and gave to her husband i.e. Nitish and Nitish with support of his five named family members fired causing injury on his shoulder.

4. The learned counsel for the petitioner submits that Criminal Miscellaneous No. 51151 of 2024 was rejected on the ground that petitioner is alleged to have fired. It is next submitted that the instant regular bail application has been filed on the ground that though there is allegation of firing by the petitioner injuring the injured, but then the injury report does not corroborate the allegation of firing.

5. Learned A.P.P. for the State, Mr. Chandra Bhushan Prasad, submits that a counter affidavit has been filed on behalf of the Superintendent of Police, Patna (East) and from perusal of Para-12 wherein it has been specifically pleaded that both injuries sustained are lacerated wounds, however it is pertinent to mention that the nature and characteristics of the said injuries do not exhibit any signs typically associated with firearm inflicted wounds such as entry or exit wounds, therefore based on the available medical evidence, it appears that no firearm was used in causing the injuries, which is contrary to the



allegation mentioned in the FIR.

6. Considering the submissions made by the learned APP for the State based on the counter affidavit, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Gaurichak P.S. Case No. 772 of 2022.

7. The counter affidavit filed on behalf of the Superintendent of Police, Patna (East) is taken on record.

(Satyavrat Verma, J)

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