

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49887 of 2025

Arising Out of PS. Case No.-291 Year-2023 Thana- BELDOUR District- Khagaria

Nitish Kumar @ Majnu S/o Chandrashekhar Singh R/o Village- Devka, P.S.-
Chautham, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 26-09-2025 Heard Mr. Vivekanand Singh, learned counsel for the
petitioner and the State.

2. The petitioner is in judicial custody in connection with Beldaur P.S. Case No. 291 of 2023 for the offence punishable under Sections 394, 307/34 of the Indian Penal Code and 27 of Arms Act lodged on 19.10.2023 by the informant, Gaurav Kumar.

3. As per the prosecution story, the informant alleged that upon information that his sister's brother-in-law has been shot at and admitted to the Primary Health Center, Beldaur, reached the place and came to know that in course of snatching of the vehicle, as he protested, the accused persons opened fire which followed the FIR. Subsequently, the investigation took place and active role of this petitioner came and further, he



confessed that he alongwith Kanhaiya tried to snatch the motorcycle and when the victim informed that he is regular plier on this road and can identify both of them. At this point of time, Kanhaiya opened fire causing injuries to the victim.

4. Learned counsel for the petitioner submits that he has remained in custody since 17.03.2024, is ready to appear in trial on each and every date and the same has still not concluded.

5. Learned APP opposes the prayer submitting that his role has been found in course of investigation.

6. This Court earlier called for the trial Court report and the said report dated 04.08.2025 shows that the Investigating Officer and the Doctor have still not been examined.

7. Considering the submission of the parties as also that he has remained in custody since 17.03.2024, it has been undertaken that he shall be appearing in trial on each and every date, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge, Khagaria in connection with Beldaur P.S. Case No. 291 of 2023 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for a single date without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month till the conclusion of the trial to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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