

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56995 of 2025

Arising Out of PS. Case No.-228 Year-2021 Thana- MOTIPUR District- Muzaffarpur

Nitesh Kumar @ Nitin Kumar @ Nitish @ Nitesh S/o Dev Lal Bhagat @
Deolal Prasad Kushwaha R/o Village- Barji, P.S.- Motipur, District-
Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Preety Kunwar , Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-10-2025 Heard learned counsel for the petitioner and
the State .

2. The petitioner seeks regular bail in a case registered
for the offence punishable under sections Section 399, 400,
402 and 120 (B) of IPC and 25 (1-b)/a/26/35 of Arms Act and
section 20 and 22 of NDPS Act.

3 . As per the prosecution case , informant namely ,
Anil Kumar reported that upon pursuing a car, they seized 3
pistols, 3 live cartridges, 300 gms smack like substance from the
possession of apprehended co-accused persons who disclosed
the name of this petitioner.

4. Learned counsel appearing for the petitioner
submits that petitioner has falsely been implicated in this case .



The name of this petitioner transpired in the confessional statement of apprehended co-accused person . No incriminating material has been recovered from the conscious possession of petitioner and has got no concern with the alleged occurrence . Charge has already been framed. Petitioner is in custody since 25.04.2025 .

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

6. Considering the aforesaid facts of the case , period of custody and other circumstances of the case , prayer for regular bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive special Court, II (NDPS) Muzaffarpur in connection with Motipur P. S. Case No. 228 of 2021.

(Prabhat Kumar Singh, J)

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