

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87520 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- SAUR BAZAR District- Saharsa

Nitish Kumar S/o Sri Brajesh Kumar @ Sri Brajesh Yadav, R/v Sabaila, Ward
No 05, PS- Sour Bazar, Dist- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is the second attempt made on behalf of the petitioner, as earlier the prayer for bail of the petitioner was turned down by this Court in Cr. Misc. No. 48927 of 2024 vide order dated 21.09.2024, taking into consideration the specific nature of accusation of causing firearm injury over the head of the brother of the informant, coupled with the two criminal antecedent. However, considering the tender age of the petitioner and he is a student pursuing his B.Tech course in the Directorate of Technical Education, Bhopal, Madhya Pradesh, he was granted liberty to renew his prayer for bail after framing of charge.

3. Referring to para-18 of the bail application and the impugned order, learned counsel for the petitioner contended



that now the charges have already been framed on 30.10.2024. The petitioner undertakes that he will fully cooperate in the proceedings of the Court. Moreover, now the petitioner has been incarcerated for a period of eleven months.

4. On the other hand, learned counsel for the State opposed the bail application and submitted that serious allegation of causing firearm injury is levelled against the petitioner, apart from his two criminal antecedent.

5. Regard being had to the submissions made on behalf of the parties and considering the observation and liberty granted by this Court to renew his prayer for bail after framing of charge, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Saharsa in connection with Sour Bazar (Bajnathpur O.P.) P.S. Case No. 114 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date



of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or
intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates
without any cogent reason, his bail bonds will liable to be
cancelled.

(Harish Kumar, J)

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