

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3721 of 2022**

Arising Out of PS. Case No.-128 Year-2021 Thana- MIRGANJ District- Gopalganj

Nitish Kumar @ Nehal @ Nitesh Kumar, Son of Ramashish Sah, R/o Village-  
Amtha Bhuwan, P.S.- Uchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dhramveer, Advocate

For the Opposite Party/s : Mr.Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      08-06-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

Let the defect (s), as pointed out by the office, be  
removed within a period of four weeks from today.

In the present case, the petitioner seeks bail in  
connection with Mirganj Case No.128 of 2021 registered for  
the alleged offence under Section 395 of the Indian Penal Code.

Allegation against the petitioner is that he along with  
other co-accused persons robbed a petrol pump and took away  
Rs.12,500/- from the service person.

It has been submitted by the learned counsel for the  
petitioner that the petitioner is not named in the FIR which was  
registered against unknown. Nothing incriminating has been  
recovered from the possession of the petitioner. He has been



made accused in this case only due to criminal antecedents. He is in custody since 09.08.2021.

The contention of the petitioner has been opposed by learned APP, who has submitted that the petitioner is a habitual offender and has a long criminal history.

I have given thoughtful consideration to the rival submission and after having gone through the records and considering the criminal antecedents of the petitioner, I am not inclined to enlarge the petitioner on bail at this stage.

Accordingly, his prayer for grant of bail is rejected.

The trial court is directed to conclude the trial expeditiously preferably within a period of eight months.

However, if the trial is not concluded within the aforesaid period of eight months, the petitioner will be at liberty to renew his prayer for bail.

V.K.Pandey/-

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**(Arun Kumar Jha, J)**

