

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65477 of 2023

Arising Out of PS. Case No.-1023 Year-2022 Thana- LAKHISARAI District- Lakhisarai

Nitesh Kumar S/O Krishna Nandan Yadav R/O Village- Kumar, Ps. Sikandra,
Dist. Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Irshad, Advocate

For the State : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioner and Mr. Madan Kumar, learned APP for the State.

2. This is the second attempt of the petitioner for bail in connection with Lakhisarai (Kabaiya) P.S. Case No. 1023 of 2022 as earlier such prayer was rejected by order dated 21.07.2023 in Cr. Misc. No. 37958 of 2023. However, the petitioner was at liberty to file fresh bail application if he was granted bail in other connected matters.

3. By order dated 21.07.2023 in Cr. Misc. No. 37958 of 2023, the following order has been passed:

*“Heard learned counsel for the
petitioner and learned Additional Public*



Prosecutor for the State.

The petitioner is in custody since 23.12.2022 in connection with Lakhisarai (Kabaiya) P.S. Case No. 1023/2022 registered for the offence punishable under Sections 414/34 of the Indian Penal Code.

As per the prosecution case, petitioner is an accused of motorcycle theft which has been recovered from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case due to dirty village politics. He further submits that the stolen motorcycle has been recovered from the house in which many family members are living together.

Considering the facts and circumstances of the case and also the fact that the petitioner has criminal antecedent of similar nature, this Court is not inclined to grant him the privilege of bail.

It is, accordingly, dismissed for the present.

However, the petitioner is at liberty to file fresh bail application if he is granted bail in other connected matters.”

4. It has been submitted by learned counsel for the petitioner that the petitioner has been granted bail in all the cases in which he is accused except the present case.

5. In view of the above, this application is allowed.

6. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai



in connection with Lakhisarai (Kabaiya) P.S. Case No. 1023 of 2022, subject to the condition that the petitioner will also mark attendance in Sikandra Police Station, District Jamui, on the first Sunday of each month.

(Sandeep Kumar, J)

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