

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32406 of 2024

Arising Out of PS. Case No.-407 Year-2023 Thana- KANTI District- Muzaffarpur

Nitesh Kumar S/o Ravindra Singh R/o Village Tarawan PS Sahebganj Dist
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Kanti P.S. Case No. 407 of 2023, lodged on 05.06.2023, under
Sections 395/397 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
five unknown accused persons against whom there is allegation
that they have looted Rs.27,42,000/- (Twenty Seven Lakhs
Forty-Two Thousand) from the bank locker entering into the
Bank.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
for the petitioner submits that his name has figured in this case
by virtue of confessional statement and there is no involvement



of the petitioner. Counsel further submits that he was not put on Test Identification Parade nor any incriminating material has been recovered from his possession. Counsel submits that when he was arrested arms was recovered from his possession and he is in custody for about one year. Counsel further submits that other co-accused have been granted bail by this Court vide order dated 17.02.2024 passed in Cr. Misc. No.7320 of 2024 and order dated 26.04.2024 passed in Cr. Misc. No.5563 of 2024.

5. Learned counsel for the State opposes the prayer for bail and submits that in the case-diary involvement of the petitioner has come in this case. He submits that it is true that he is not involved directly in the case but he is involved in recky of the case and there are nine criminal cases pending against him and arms were also recovered from his possession along with live cartridges.

6. In response thereof, counsel for the petitioner submits that there is only four criminal cases pending against the petitioner.

7. It transpires from the order sheet that there are nine criminal cases pending against the petitioner. It also transpires from the order passed by the Sessions Court that there are nine cases pending against the petitioner. This Court is of the view



that petitioner has made false averment that there is only four cases pending against him. It is due to this reason, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is rejected.

(Dr. Anshuman, J)

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