

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4141 of 2025

Arising Out of PS. Case No.-366 Year-2024 Thana- DEEPNAGAR District- Nalanda

Manish Kumar S/o Sanjay Kumar R/o Village- Dayabigha, PS- Ben, Dist-
Nalanda Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 02-05-2025 Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Deepnagar P.S. Case No. 366 of 2024, registered for the
offences punishable under Sections 310(2) of the Bharatiya
Nyaya Sanhita, 2023.

3. The prosecution case in short is that at about 9:25
P.M., while the informant was traveling on his motorcycle
suddenly 3 persons overtook him and on the point of pistol,
snatched away around Rs.5,300/- and a mobile and then had
further transferred Rs.19,000/- on 4 occasions on a certain
mobile number, however, they did not loot the motorcycle on
which the victim was travelling.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the case
only on the ground that the money which was said to have been



transferred on the mobile, belongs to him though the same was registered in the name of his mother. The counsel for the petitioner further submits that it was on mere suspicion that the petitioner has been made accused in this case as it has not come during the investigation that the petitioner was present at the place of occurrence and he has any connection with the persons who were seen there as till date no TIP has been done. The learned counsel further submits that the petitioner has been arrested from his house although different story has been propounded by the police. It has lastly been submitted that the petitioner has antecedents of two criminal cases in which he is on bail and is in judicial custody since 07.11.2024.

5. Learned APP for the state has vehemently opposed the prayer for bail of the petitioner and stated that the petitioner and others are working as a gang and have been committing crime through online and other modes.

6. Considering the aforesaid submissions of the parties and considering the fact that Rs.19,000/- has been stated to be transferred in the mobile phone of the petitioner, however, there is no investigative finding to the fact that the same was received by the petitioner or mobile was being used by the petitioner and considering the fact that the petitioner is in custody since



07.11.2024, let the petitioner, above named, be released on bail on deposition of Rs. 20,000/- in the learned Court below while furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Deepanagar P.S. Case No. 366 of 2024 subject to the the following conditions:-

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.
- (iii) In case the prosecution is found the petitioner's involvement in similar nature of allegation after his release and in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Sourendra Pandey, J)

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