

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6175 of 2025

Arising Out of PS. Case No.-550 Year-2023 Thana- RAJAON District- Banka

Nitish Kumar @ Nitish Mandal Son of Nandlal Mandal R/o-Village-
Jiwanchak (Khiddi), Police Station -Rajoun, District -Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Mukherjee, Advocate
For the State	:	Mrs. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 03-07-2025 Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in a case registered
for the offences punishable under Sections 392 and 411 of the
Indian Penal Code.

3. As per the prosecution case, three unknown persons
riding on a motorcycle, overtook the vehicle of the informant
and the said miscreants looted away the mobile and cash of Rs.
1,000/- and other items from the informant.

4. The learned counsel for the petitioner submits that
the petitioner is not named in the FIR and his name has surfaced
in the confessional statement of one Sintu Kumar. It is further
submitted that no incriminating article has been recovered from
the conscious possession of the petitioner and even during the



course of investigation, the looted mobile and iron jack was recovered from the possession of the said accused Sintu Kumar. It has next been submitted that the person who had taken the name of the of the petitioner, namely, Sintu Kumaar has been enlarged on bail by a Co-ordinate Bench of this Hon'ble Court, the order of which has been brought on record by way of Annexure-3. It has lastly been submitted that petitioner has one criminal case under Excise Act and he is in custody since 11.09.2024 in the present case.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that petitioner is involved in organised crime and should not be released on bail.

6. Considering the aforesaid submissions made by the parties and taking account that no recovery has been made from the possession of the petitioner and also considering the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection Rajoun P.S. Case No. 550 of 2023, subject to the following conditions:-



(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned.

(Sourendra Pandey, J)

Siwani/-

U		T	
---	--	---	--

