

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16576 of 2025

Arising Out of PS. Case No.-320 Year-2024 Thana- PATEPUR District- Vaishali

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Nitesh Kumar @ Nanki @ Nitish Kumar, aged about 34 years, Male, Son of Harinandan Prasad Singh, Resident of Village- Harilochanpur Sukki, P.S. Patepur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 02-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Patepur (Harlochanpur) P.S. Case No. 320 of 2024 instituted for the offences punishable under Sections 309 (4) of the B.N.S.

3. As per the prosecution case, four unknown miscreants looted the collection money worth Rs.70,555/-, one Samsung Tab, Aadhar Card, Mobile phone and SBI ATM Card from the informant on the gun point and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that petitioner is not named in the FIR rather he has been arrested on his self



confessional statement. He further submits that except the confessional statement there is no any evidence against the petitioner for his involvement in the alleged occurrence. He next submits that nothing has been recovered from the conscious possession of the petitioner and the recovery is from the poultry farm which is open place. He next submits that chargesheet has already been submitted in this case. Petitioner is in custody since 27.10.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary, seizure list and also perused the impugned order dated 31.01.2025 passed by the learned Additional Sessions Judge-V, Vaishali at Hajipur it appears that on the basis of *fard beyan* of the informant (victim) namely Vikram Kumar, FIR has been lodged under Sections 309 (4) of the B.N.S. against four unknown persons. During investigation the present petitioner was arrested and according to his self confessional statement looted articles has been recovery from his conscious possession. It also appears that petitioner has two criminal antecedent as stated in para 3 of the petition, so considering the fact and circumstances of the case, nature of allegation against the petitioner, gravity of offence and the fact of recovery from the conscious possession as well as



considering his two criminal antecedents, this Court is not inclined to grant bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

8. The learned trial Court is directed to expedite the trial.

(Ramesh Chand Malviya, J)

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