

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21753 of 2025

Arising Out of PS. Case No.-531 Year-2023 Thana- BARBIGHA District- Sheikhpura

Nitish Kumar S/O Binda Mahto R/O Village- Naya Tola Simiri, P.S-
Bakhtiyarpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rashmi Sharma, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Barbigha P.S. Case No. 531 of 2023 dated 18.12.2023, instituted
for the offence punishable under Section 395 of the Indian Penal
Code.

3. As per the prosecution case, the informant is the
Area Manager of Ashirvad Micro Finance Ltd. and he is posted
at Akhorigola. It is alleged that some unknown persons attacked
his Branch and looted away gold, cash of Rs. 2,11,245/- and
other articles.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is not named in the FIR. The name of the petitioner has come in this case only on the basis of confessional statement of co-accused Nitish Kumar son of Dharmendra Saw. The said Nitish Kumar has been granted bail vide order dated 14.05.2024 passed by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 29004 of 2024. It is next stated that no incriminating articles has been recovered either from the conscious possession or from the house of the petitioner. It is further submitted that similarly situated co-accused persons have been granted bail by Co-ordinate Benches of this Court *vide* Annexure-P series. Lastly, it has been submitted that the petitioner is in custody since 04.02.2025 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon 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,



Sheikhpura in Barbigha P.S. Case No. 531 of 2023.

(Khatim Reza, J)

Sankalp/-

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