

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26186 of 2025

Arising Out of PS. Case No.-128 Year-2024 Thana- BIHTA District- Patna

Nitish Kumar Son of Lalu Ray @ Prayag Prasad Resident of Village -
Daulatpur, P.S.- Bihta, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramji Kumar, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 25-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bihta P.S. Case No. 128 of 2024 registered for the offences
punishable under Sections 401, 413 and 414 of the Indian Penal
Code.

3. As per prosecution case, the allegation against the
petitioner is of being involved in the theft and selling of the
alleged motorcycle.

4. This is the second attempt of the petitioner for grant
of anticipatory bail. Earlier the petitioner had moved before this
Court with a prayer for grant of anticipatory bail and the same
was rejected by this Court on merit vide order dated 26.06.2024
passed in Cr. Misc. No. 41197 of 2024.

5. Learned counsel for the petitioner submits that the



petitioner has no criminal antecedent and has name has surfaced in this case on the basis of the confessional statement of the co-accused. He further submits that the chassis number and engine number of the motorcycle which was recovered from the house of the petitioner does not exist in the record of the R.T.O. and, thus, the seizure list prepared by police is not reliable.

6. This Court finds that there is no new/fresh ground to consider the anticipatory bail petition of the petitioner again. It appears that the petitioner is the member of the gang associated with the theft and selling of the motorcycle. This is not a fit case for consideration of anticipatory bail. In that view of the matter, the present anticipatory bail petition is again rejected.

7. The petitioner is directed to surrender before the court below and pray for regular bail. If the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

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