

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28195 of 2025

Arising Out of PS. Case No.-160 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Nitish Rai @ Nitish Kumar S/O Ravindra Rai Resident of Village-
Hathsarganj, Police Station- Hajipur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Ruchi, Adv

For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 18-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Hajipur
P.S. Case No. 160 of 2022 registered for the offences under
Sections 394/307 of the IPC and Section 27 of the Arms Act.

3. The petitioner is not named in the F.I.R. and is in
custody since 21.10.2022.

4. As per FIR, some unknown miscreants committed
robbery in petrol pump of the informant and were also looking for
cash. It is further alleged that miscreants open fired which hit on
the leg of manager of the petrol pump.

5. Learned counsel appearing on behalf of the petitioner
submitted that name of petitioner transpires in the present case as



petitioner was remanded from Salimpur P.S. Case No. 133 of 2022 on the basis of self-confession, in furtherance of which nothing incriminating recovered/surfaced during the course of investigation, as to connect this petitioner prima-facie with the present occurrence of robbery. It is submitted that petitioner was not put on TIP, as yet. It is further submitted that similarly situated co-accused person has already granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 14709 of 2023 dated 15.05.2023 and as a matter of judicial parity this petitioner also deserves bail. While concluding the argument it is submitted that, petitioner found involved in five more cases, where he is on bail and in almost all cases his name transpired on the basis of confessional statement as of the present case, otherwise having no evidentiary value under law, and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, while opposing the prayer for bail could not dispute aforesaid factual submission.

7. In view of aforesaid factual submission and by taking note of fact as save and except suspicion arising out of confessional statement of co-accused nothing transpires against



petitioner as to connect him with the present crime in question, coupled with the fact as petitioner remains in custody since 21.10.2022, accordingly above named petitioner, is directed to be released on bail in connection with Hajipur P.S. Case No. 160 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District Additional and Sessions Judge, Vaishali at Hajipur/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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