

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30564 of 2025

Arising Out of PS. Case No.-230 Year-2024 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Nitish Kumar @ Nitesh Kumar S/o Baikunth Tanti R/o Jinedpur, Rajaura,
Ward No0. 09, P.S.- Muffasil, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Prabhat, Adv.

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner has earlier moved before this Court
with a prayer for anticipatory bail which was rejected vide order
dated 28.02.2025 passed in Cr. Misc. No. 11437 of 2025.

3. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 230 of 2024 registered for the offences
punishable under Section 394 of the Indian Penal Code and
Section 27 of the Arms Act.

4. The prosecution case in short is that while the
informant was returning to his house, at that time, three
unknown miscreants intercepted him and also fired upon him
due to which he fell down on the road. The miscreants looted



silver and gold articles along with cash of Rs. 20,000/- from him and also shot him causing five injuries on his body.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner surfaced in this case on the basis of his confessional statement of the co-accused Natwar Kumar, which has no evidentiary value in the eye of law. Except confessional statement of the co-accused, there is nothing adverse against the petitioner in the entire record of the case. Nothing incriminating has been recovered from the possession of the petitioner. Other co-accused Natwar Kumar has already been granted regular bail by this Court vide order dated 08-01-2025, passed in Cr. Misc. No. 89167 of 2024. The petitioner has not been put on Test Identification Parade. The petitioner has three criminal antecedents and is languishing in judicial custody since 27.03.2025 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature.



7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner as also the prayer being based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 230 of 2024.

(Rudra Prakash Mishra, J)

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