

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32854 of 2025

Arising Out of PS. Case No.-87 Year-2024 Thana- BHAGWANPUR District- Begusarai

Nitish Kumar @ Mantri @ Alexander S/o Ram Bilash Mahto R/o Vill.-
Augan, P.S.- Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshul, Sr. Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-07-2025 Heard Mr. Anshul, learned Senior Counsel for the
petitioner and the State.

2. The petitioner seeks bail in connection with S.T.
No. 657 of 2024 arising out of Bhagwanpur P.S. Case No. 87 of
2024 lodged on 01.04.2024 registered for the offences
punishable under Sections 399, 400, 402 of the Indian Penal
Code and Sections 25(1-B)(a), 26, 35 of the Arms Act.

3. As per the prosecution case, the police upon secret
information, raided a place and upon search of the accused
present there, from the pocket of this petitioner, a loaded country
made pistol besides live cartridges, a mobile phone as also Rs. 1
Lakh were recovered/seized. Further, from Ravi Ranjan, there is
recovery of loaded country made pistol besides live cartridges.
On search of another accused, Sunny Kumar Singh, there is
recovery of one loaded pistol and live cartridges. Upon query,



the petitioner informed about the amount/looted money from HDFC bank. Accordingly, the FIR.

4. Learned Senior Counsel for the petitioner submits that his name has come only on the basis of confessional statement and in no way, he is connected to the HDFC Bank loot. He has already suffered by being in custody for more than one year (01.04.2024) only because he has criminal antecedent. He is ready to appear before the trial court on each and every date and failure to do so, appropriate steps be taken for cancellation of his bail bonds.

5. Learned APP on the other hand submits that his criminal antecedent includes Section 395 of IPC.

6. Considering the submissions of the parties as also the fact that the petitioner is in custody for more than one year, an undertaking has been given that he shall be diligently appearing in trial, in that background, , this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge- VIII,



Begusarai in connection with S.T. No. 657 of 2024 arising out of Bhagwanpur P.S. Case No. 87 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) the trial court is directed to ensure that without unnecessary delay, the trial is taken to its logical conclusion at an earliest and if possible to hear it on day to day basis;

(ii) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight till the conclusion of the trial to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty



to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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