

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34307 of 2025

Arising Out of PS. Case No.-85 Year-2024 Thana- Ramgarh Chowk District- Lakhisarai

Nitish Kumar son of Yamuna Mahto @ jamuna Mahto Village- Jamalpur, P. S.
- Sheikhpura, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 04-07-2025 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. This is the 2nd attempt of the petitioner. Earlier the
bail application of the petitioner was rejected *vide* order dated
03.10.2024 passed in Cr. Misc. No. 69773 of 2024.

3. The petitioner seeks regular bail in a case registered
for the offence under Sections 395, 120B/34 of the Indian Penal
Code.

4. It has been submitted by the learned counsel for the
petitioner that the charge has not been framed. He further
submits that similarly situated co-accused persons have been
granted bail by a co-ordinate Benches of this Court *vide* Cr.
Misc. No. 71029 of 2024 dated 03.03.2025 and *vide* Cr. Misc.
No. 79073 of 2024 dated 27.03.2025.



5. This Court had rejected the bail application of the petitioner on 03.10.2024 in Cr. Misc. No. 69773 of 2024, which reads as follows:

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Ramgarh Chowk P.S. Case No. 85 of 2024 registered for the offence punishable under Sections 120(B)/34 of the Indian Penal Code.

3. As per the prosecution case, Rs. 5,37,641/- was snatched by five unknown criminals on gun point.

4. The money was recovered from one Balmiki Mahto. The face of the petitioner has been captured in the CCTV footage. The name of the petitioner has come in the self inculpatory statement of the co-accused. The petitioner is in jail since 20.06.2024.

5. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

6. Considering the allegation levelled against the petitioner, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this application stands dismissed.

6. Thereafter, on 03.03.2025 in Cr. Misc. No. 71029 of 2024, co-accused Vimlesh Kumar was granted bail by a co-ordinate Bench of this Court. Similarly, on 27.03.2025 in Cr. Misc. No. 79073 of 2024, co-accused Sonu Kumar was granted bail by a co-ordinate Bench of this Court.

7. From the reading of the orders of the co-ordinate Benches of this Court, it appears that the order passed in the case of the petitioner, which was rejected on 03.10.2024 in Cr.



Misc. No. 69773 of 2024, was not brought to the notice of the co-ordinate Benches from where the co-accused persons have been granted bail.

8. In these circumstances, I am not inclined to grant bail to the petitioner. Accordingly, this application for regular bail is hereby rejected.

7. The Court below is directed to expedite the trial of the petitioner after framing of charge.

(Sandeep Kumar, J)

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