

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37420 of 2025

Arising Out of PS. Case No.-157 Year-2022 Thana- GWALPARA District- Madhepura

Nanhku Kumar @ Satish Kumar S/o- Vimal Yadav Village- Sukhasan PS-
Arar Gwalpara District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Rashmi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2025 Heard Ms. Kumari Rashmi, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
05.12.2024, in connection with Gwalpara (Arar O.P.) P.S. Case
No. 157 of 2022, F.I.R. dated 12.07.2022 registered for the
offences punishable under Sections 363, 366 of the Indian Penal
Code.

3. The prosecution case, in brief, is that on 03.07.2022
the informant came to his house along with his wife and one
daughter aged about 2 years from her Sasural and on the same
night his wife came out of house for natural call and she did not
return. It is further alleged that before marriage one person used
to talk with her wife on her mobile and during course of fleeing



away his wife Khusboo Kumari was also taken all his ornaments and Rs. 15000/- cash and went away from the Sasural after left her small children Sakshi Kumari.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person namely Gautam Kumar and except the confessional statement of co-accused Gautam Kumar, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence and the said Gautam Kumar has been granted bail by this Court vide order dated 26.06.2023 passed in Cr. Misc. No. 12921 of 2023. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 05.12.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the



petitioner is not named in the F.I.R. and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person namely Gautam Kumar and said Gautam Kumar has been granted bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Uda-Kishunganj, Madhepura in connection with Gwalpara (Arar O.P.) P.S. Case No. 157 of 2022, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for



cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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