

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43086 of 2025**

Arising Out of PS. Case No.-61 Year-2024 Thana- Bodhibigaha District- Gaya

Nitish Kumar S/o Maheshwar Paswan R/o Village- Chhakarbanda, P.S.-
Dumariya, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pintu Kumar Patel, Adv.

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

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

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bodhibigha P.S. Case No. 61 of 2024 instituted for the
offences under Sections 309(4) of the Bhartiya Nyaya
Sanhita, 2023.

3. As per prosecution case, the accusation against
the petitioner is that he along with other co-accused persons
committed loot of cash of Rs. 10,000/-, an Aadhaar Card,
Identity Card, key of an Urban Cruiser vehicle and a brown-
colored wallet from the house of the informant.

4. 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. He further submits that nothing incriminating/stolen article has been recovered from the conscious possession of the petitioner. The petitioner has not been put to Test Identification Parade for his identification. He further submits that in the entire investigation, not a single iota of evidence has come against the petitioner showing his complicity in the alleged occurrence. The petitioner has no concern with the alleged occurrence. The petitioner has one criminal antecedent and is languishing in judicial custody since 06.10.2024 without any rhymes or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Nitish Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 12.05.2025 passed in Cr. Misc. No. 17400 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, 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 Bodhibigha P.S. Case No. 61 of 2024.

(Rudra Prakash Mishra, J)

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