

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44779 of 2025

Arising Out of PS. Case No.-304 Year-2024 Thana- HALSI District- Lakhisarai

Nitish Kumar S/o- Rajesh Yadav Village- Lalganj Ps- Chewara Dist-Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate
		Mrs. Rupa Sinha, Advocate
		Mr. Vandana Rani, Advocate
For the Opposite Party/s :		Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Halsi P.S. Case No. 304 of 2024, instituted for the offences punishable under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that, some unknown miscreants intercepted the informant and looted his motorcycle on the point of pistol.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the



basis of self-confession made by him in Chandradip P.S. Case No. 190 of 2024 and the same has got no evidentiary value. It is further submitted that neither any recovery has been made from the possession of the petitioner nor any T.I. parade has been conducted in this case. The petitioner is in custody since 26.04.2025 and has got four criminal antecedents.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the allegation of looting motorcycle of the informant is levelled against the petitioner along with other co-accused persons. It is further submitted that the looted motorcycle has been recovered from the house of this petitioner. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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