

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44572 of 2025

Arising Out of PS. Case No.-303 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. Umesh Prasad, Adv.
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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

ORAL ORDER

4 16-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Halsi
P.S. Case No. 303 of 2024 instituted for the offences under
Section 309(4) of the B.N.S., 2023.

3. As per prosecution case, nine miscreants looted the
informant's motorcycle including Rs. 2,500/- in cash, ATM
Card, PAN Card, Voter Card, Aadhar Card and Mobile phone. It
is also alleged they also assaulted 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
merely on the basis of suspicion. The petitioner is not named in



the F.I.R. and his name has surfaced in this case in course of investigation. He further submits that nothing incriminating/looted article has been recovered from the conscious possession of the petitioner. No T.I.P. has been conducted in this case. The petitioner was arrested in Chandradip P.S. Case No. 190 of 2024 in which the police recorded confessional statement of the petitioner and, thereafter, the police has remanded the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has four criminal antecedents and is languishing in judicial custody since 26.04.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. He further submits that from Para 62 of the case diary, it appears that the looted motorcycle has been recovered from the house of the petitioner. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner for offence under Sections 310(2), 311, 317(3), 317(4) of the B.N.S. He further submits that the petitioner has four criminal antecedents.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case and keeping in view the



nature of allegation, gravity of the offence, materials available in the case diary, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously preferably within a period of six months from today. If the trial is not concluded within the period of six months as stated above, the petitioner will be at liberty to renew his prayer before the court below.

(Rudra Prakash Mishra, J)

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