

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50097 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Nitesh Kumar S/o Rupan Chaudhari R/o Village- Majhauri Mohammadpur
Buzurg, P.S.- Saray, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar
For the Opposite Party/s : Mr.Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Sadar P.S. Case No. 33 of 2025 registered for the
offences under Sections 310(3), 317(5) of the Bhartiya Nyay
Sanhita, 2023 (in short, the 'B.N.S.') and 27 of the Arms Act.

3. The accused/petitioner is named in the First
Information Report and is in custody since 13.02.2025.

4. As per FIR, some unknown miscreants looted
cash and office articles etc. from the office of brother of the
informant, who was shot dead by miscreants during the
occurrence.



5. It is submitted by learned counsel appearing on behalf of the petitioner that name of petitioner transpired through confessional statement of apprehended co-accused persons. It is submitted that in furtherance of confessional statement, nothing incriminating surfaced/recovered during investigation which may suggest the involvement of petitioner with the present crime in question.

6. It is pointed out by learned counsel that similarly situated co-accused namely, Mohit @ Jai Prakash Kumar has already been granted bail by one of the learned coordinate Bench of this Court through Cr. Misc. No. 35226 of 2025 dated 04.09.2025.

7. It is submitted that petitioner was not put on TIP as yet and, moreover, investigation of this case is already completed, and as such there is no chance of tampering with the evidence. Petitioner claims to be a man of clean antecedent.

8. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

9. In view of aforesaid factual submission and by



taking note of the fact as except suspicion arising out of confessional statement of apprehended co-accused persons, *prima facie* nothing appears incriminating during investigation against the petitioner as to connect him *prima facie* with the present occurrence of dacoity and murder, coupled with the fact that petitioner remains in custody since 13.02.2025, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur/concerned court, in connection with Sadar P.S. Case No. 33 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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