

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56013 of 2025**

Arising Out of PS. Case No.-31 Year-2025 Thana- Kadirganj P.S. District- Nawada

Nishant Kumar S/O Navlesh Prasad @ Navlesh Mahto @ Nawlesh Sohar
Mahto Resident Of Village- Sambey, P.S.- Warisaliganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Kadirganj P.S. Case No. 31 of 2025, dated 25.01.2025, lodged under Sections 309(4) & 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”), pending before the Court of C.J.M, Nawada.

3. As per the prosecution, FIR has been lodged against four unknown accused persons, including the present petitioner, with the allegation that the accused persons snatched Rs. 3,23,090/- and escaped with the money along with the key of his scooty.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that the petitioner's criminal antecedent is clean. He also submits that the petitioner is not named in the FIR and his name has figured in this case solely by virtue of the confessional statement of the co-accused. Additionally, he submits that nothing has been recovered from the possession of the petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the CCTV footage indicates the commission of the offence, which is under consideration in the instant case. Counsel further submits that the co-accused persons, who were apprehended by the Police, have confessed their guilt and stated the name of the petitioner, alleging his involvement in the crime. The apprehended accused persons also stated that the petitioner received his share of the money, which was allegedly looted from the informant.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

7. It is directed to the petitioner to surrender before



the Trial Court within a period of 6 weeks from today. In case, the petitioner surrenders within six weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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