

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60002 of 2025

Arising Out of PS. Case No.-165 Year-2025 Thana- AMNAUR District- Saran

Nitish Kumar @ Nikhil S/o Uday Dhankar Singh Village- Marhowrah Khurd,
PS- Marhowrah, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Narendra Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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

ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Amnaur P.S. Case No. 165 of 2025 instituted for the offence
under Sections 313, 317(2), 317(4), 317(5), 338, 336(3), 340(2)
& 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. On 29.05.2025, police received secret information
and conducted a raid near *Braham Asthan*, and arrested two
criminals with arms while two fled away. On their disclosure,
raids were conducted leading to arrest of others including Vishal
Kumar Singh; petitioner; and Daroga Ray, and at their instance,
there is recovery of a looted Swaraj tractor and its trailer.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 29-05-2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has transpired on the basis of disclosure made by co-accused, namely, Vishal Kumar. Nothing has been recovered from the conscious possession of the petitioner. So far as recovery of tractor is concerned, the same is made from an open place situated behind the house of the petitioner, which is accessible to one and all. Petitioner has no concern with the tractor in question. Petitioner was not even put on T.I.Parade.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and manner of petitioner's implication, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like



amount each to the satisfaction of Court below/concerned Court in connection with Amnaur P.S. Case No. 165 of 2025 , subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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