

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65436 of 2025

Arising Out of PS. Case No.-15 Year-2024 Thana- NEMDARGANJ District- Nawada

Krishnandan Ray @ Krishannandan Kumar, (Male), aged about 23 years, Son of Nagendra Ray, Resident of Village - Chak Jalal, Police Station - Tajpur, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Birendra Kumar, Advocate
For the Opposite Party : Mr. Raj Kishor Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nemdarganj P.S. Case No. 15 of 2024 dated 10.01.2024 registered for the offences punishable under Sections 406, 420, 120B and 379 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged that the co-accused Munshi Rana gave him an offer that he can earn Rs. 1,30,000/- per month if he is willing to give his truck on rent to the co-accused Amar Jyoti. On. 24.12.2023, the informant and the co-accused Munshi Ram reached Nawada, there the co-accused Rahul Kumar @ Chhotu met him and he



took them to the office where the co-accused Amar Jyoti, Purushottam Kumar and Gautam Kumar were present and the co-accused Amar Jyoti told him that as the court is closed so agreement cannot be done and asked him to leave his truck. Further, on 26.12.2023, as per the instruction of the co-accused persons the informant parked his vehicle near the petrol pump in Nawada, thereafter, on 31.12.2023, the informant sent his driver, Suraj Kumar Yadav for knowing the status of the agreement but the co-accused Rahul Kumar told him that the agreement could not be done and it will be done after new year, and took the keys of the vehicle. On 03.01.2024., when the informant's driver reached Nawada again, there he found his truck missing. When the informant tracked his truck through GPS, he found that it was in the office of the co-accused Amar Jyoti after which the informant's driver contacted the co-accused Rahul Kumar but proper explanation was not given by him. Further, the informant's driver has alleged that the co-accused persons have committed fraud with them and have stolen the said truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. His name has come in the present case during the course of investigation on



the basis of confessional statement of the co-accused Rahul Kumar which has got no evidentiary value in the eyes of law. The petitioner has been remanded in the present case from another case in the same year 2024. The occurrence took place on 03.01.2024 but the F.I.R. was lodged on 10.01.2024 after a delay of six days and there is no explanation for this delay. Nothing has been recovered from the conscious possession of the petitioner rather without number plate and R.C. Book. It is further submitted that as per the F.I.R., the co-accused Rahul Kumar @ Chhotu, Munshi Rana and Amar Jyoti contacted the informant. It is further submitted that except allegation there is no any agreement of higher purchase between the informant and the co-accused Amarjyoti regarding his vehicle bearing Registration No. JH-12K-8969. Hence, entrustment is not made out against the petitioner, as such, no offence under Section 406 of the I.P.C. is attracted in the present case. The charge sheet has already been submitted in the present case. It is further submitted that the other co-accused persons, Rahul Kumar @ Chhotu in Cr. Misc. No. 59760 of 2024 vide order dated 12.09.2024, Amar Jyoti in Cr. Misc. No. 80866 of 2024 vide order dated 04.12.2024, Purushottam Kumar @ Raju, Gautam Kumar in Cr. Misc. No. 15062 of 2025 vide order dated



13.05.2025, Ranjit Kumar in Cr. Misc. No. 53395 of 2024 vide order dated 14.08.2024, Abhishek Kumar in Cr. Misc. No. 16850 of 2025 vide order dated 15.05.2025, have already been granted bail by a Bench of this Court, annexed as Annexures-2, 2/1, 3, 4 and 4/1 to the present bail application. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has eight (08) criminal antecedents out of which, in three cases, he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 16.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Incharge C.J.M., Nawada in connection with Nemdarganj P.S. Case No. 15 of 2024 with the condition:-

(I) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without



reasonable cause, the bail bond of the
petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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