

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1174 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

Nitish Kumar Son of Ram Bilash Mahto Resident of village - Augan, P.S.-
Bhagwanpur, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Branch Manager H.D.F.C. Bank Harhar Mahadeo Chowk Begusarai Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, APP
For HDFC Bank	:	Mr. Girijesh Kumar, Advocate

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

ORAL ORDER

4 10-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Begusarai Town P.S. Case No. 176 of 2024 instituted for the
offences under Section 395 of the Indian Penal Code.

3. Prosecution case, in short, is that, on the alleged
date and time of occurrence, five to six miscreants entered the
HDFC Bank, Har Har Mahadev Branch, assaulted the staff and
and committed a loot of Rs. 16,33,033/-.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner



transpired in this case on the basis of suspicion and his confessional statement was recorded. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted amount and the same has not been recovered from this petitioner. Learned counsel further submitted that T.I.P. has not been conducted till date. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.05.2024 and has seven criminal antecedents.

5. Learned A.P.P. for the State and learned counsel appearing for HDFC Bank vehemently opposed the prayer for grant of bail to the petitioner and jointly submitted that the petitioner is a member of gang which is involved in the committing robbery in banks, and therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in



connection with Begusarai Town P.S. Case No. 176 of 2024,
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.

(III) If the petitioner tampers with the evidence or the
witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(IV) If the petitioner is found involved in similar
nature of offence in future, the Trial Court will have liberty to
cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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