

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88005 of 2024

Arising Out of PS. Case No.-270 Year-2024 Thana- HARNAUT District- Nalanda

Satish Kumar, Son of Angad Kumar, Resident of Village - Janardanpur, Police
Station - Fatuha, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 83240 of 2024

Arising Out of PS. Case No.-270 Year-2024 Thana- HARNAUT District- Nalanda

Nitish Kumar, Son of Gariban Singh, Resident of Mohalla- Kohawan, P.S.-
Daniyawar, District- Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 88005 of 2024)
For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Kanhaiya Kishore, App.100
(In CRIMINAL MISCELLANEOUS No. 83240 of 2024)
For the Petitioner/s : Mr. Awadhesh Kumar, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 10-02-2025 Heard learned counsel for the petitioners and learned
APP's for the State.

2. The petitioners have prayed for regular bail in a
case registered for the offence punishable under Sections 395
and 397 of the Indian Penal Code.

3. The case of the prosecution is that the informant



was working as a tractor driver in A.K. Enterprises. On 29.06.2024, the informant has loased 9 tonnes of iron rod and was going to Bhaganbigha. As he reached near Bakhtiyarpur, it started raining. After some time a white car intercepted the informant. It is further alleged that 5-6 persons came out of the car and assaulted the informant and took away the tractor and also Rs.13,000/- which he was carrying.

4. Learned counsel for the petitioners have submitted that during course of investigation petitioner Nitish Kumar has given his confessional statement and in that statement he has named the petitioner Satish Kumar as well. One mobile was recovered from possession of Nitish Kumar. Police has also collected audio clips and from those audio clips it transpires that there was talk between the petitioners but as it is a matter of trial because in absence of certificate under Section 65 of the Indian Evidence Act, audio clips cannot be taken into consideration. The petitioner in Cr. Misc. Case No.88005 of 2024 is in custody since 18.09.2024 and petitioner in Cr. Misc. Case No.83240 of 2024 is in custody since 07.07.2024.

5. Learned APP's appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and



considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Harnaut P.S. Case No. 270 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) each of them with two sureties of the like amount each to the satisfaction of learned court of Chief Judicial Magistrate, Nalanda at Biharsharif/successor court, Nalanda at Biharsharif.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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