

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82778 of 2024

Arising Out of PS. Case No.-218 Year-2024 Thana- DALSINGHSARAI District- Samastipur

Nitish Kumar S/o- Anil Kumar Ray @ Anil Kumar Rai Village - Madhuban
Satanpur , Police Station - Sarairanjan , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

3 19-02-2025 Heard learned counsel for the petitioner and Ms. Renu
Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with
Dalsingsarai P.S. Case No. 218 of 2024 instituted for the offence
under Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that informant was
accosted with five unknown miscreants who on the point of
pistol snatched the bag of the informant containing Rs. 25,600/-
and fled away.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 11-07-2024. Petitioner
bears one 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. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Ram Ekbal Paswan, and the same has no evidentiary value in the eye of law. Nothing has been recovered from the conscious possession of the petitioner. Petitioner was not put on T.I. Parade. Charge-sheet has been submitted in this case. Other co-accused has been granted bail by this Court *vide* order dated 29-01-2025, passed in Cr. Misc. No. 3446 of 2025.

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, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail 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 Dalsingsarai P.S. Case No. 218 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.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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