

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.441 of 2025**

Arising Out of PS. Case No.-13 Year-2024 Thana- NEMDARGANJ District- Nawada

Gautam Kumar, (Male), aged about 29 years, S/O Rajendra Prasad, R/o  
Village- Pachgawan, P.S.- Nemdarganj, Dist.- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Birendra Kumar, Advocate

For the Opposite Party : Mr. Chandra Sen Prasad Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      14-02-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with Nemdarganj P.S. Case No. 13 of 2024 dated 10.01.2024 registered for the offences punishable under Sections 406, 420, 120B, 379 read with Section 34 of the I.P.C.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have stolen the truck of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is no hire purchase agreement for truck in question between the informant and the co-accused



Amar Jyoti on the record. The alleged occurrence took place on 03.01.2024 as to when the F.I.R. has been lodged on 10.01.2024 after lapse of six days and the delay in lodging of the F.I.R. has not been explained by the prosecution. The petitioner is relative of the co-accused Amar Jyoti, hence, he has been made accused in the present case. The said co-accused Amar Jyoti gave an application to the S.P., Nawada on 16.03.2023 alleging corruption against the officer-in-charge of Nemdarganj Police Station and being aggrieved with the said complaint, the officer-in-charge of Nemdarganj Police Station has falsely implicated his all family members in more than ten criminal cases. It is further submitted that after investigation, the charge sheet has been submitted in the present case. No incriminating article has been recovered from his possession. He has no concern with the alleged offence. It is submitted that the other co-accused person, namely, Purushottam Kumar @ Raju Kumar, has already been granted bail by a Bench of this Court vide Cr. Misc. No. 86877 of 2024 under order dated 13.12.2024. The petitioner has eleven (11) criminal antecedents and in one case he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 22.08.2024.

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 C.J.M., Nawada in connection with Nemdarganj P.S. Case No. 13 of 2024 with further 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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

U.K./-

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