

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89427 of 2024

Arising Out of PS. Case No.-321 Year-2024 Thana- MADANPUR District- Aurangabad

Nitish Kumar S/o- Amerika Mehta @ Amerika Singh Resident of Village-
Charan, Mahuari, P.S-Narari Kala Khurd, Dist- Aurangabad

The State of Bihar
Versus
... .. Petitioner/s

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Ashok Singh, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 10-01-2025 Heard Mr. Ashok Singh, learned counsel for the
petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner apprehends arrest in connection with
Madanpur P.S. Case No. 321 of 2024, registered under Sections
112, 317(5), 338, 336(3) and 340(2) of the Bharatiya Nyaya
Sanhita, 2023.

3. The prosecution case, in short, is that, one stolen
motorcycle has been recovered from the possession of co-
accused Ritesh Kumar. It is further alleged that the said
apprehended co-accused persons disclosed that the aforesaid
motorcycle was purchased by him from co-accused, namely,
Ranjay Kumar.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that the petitioner was neither present at the place of occurrence nor he is named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Ritesh Kumar and the same has got no evidentiary value. The petitioner has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted regular bail by this Court vide order dated 19.11.2024 and 10.12.2024 passed in Cr. Misc. Nos. 79377 of 2024 and 85996 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madanpur P.S. Case No. 321 of 2024, subject to the conditions as laid down under



Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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