

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18233 of 2026

Arising Out of PS. Case No.-508 Year-2025 Thana- SAHARSA SADAR District- Saharsa

Nitish Kumar @ Nitis Kumar S/O Suresh Yadav R/O Village- Dhakjari Ward
No. 11, P.S- Sonbarsa Kachahari, District- Saharsa, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-03-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Saharsa Sadar P.S. Case no.508 of 2025 registered under section 303(2) of the Bharatiya Nyaya Sanhita, 2023 to which section 317(2) of the Bharatiya Nyaya Sanhita, 2023 was added subsequently.

3. As per the prosecution case, the informant states that he had parked his motorcycle near his house. On returning after sometime, he found his motorcycle missing.

4. Learned counsel for the petitioner submits that the FIR was registered against unknown. The petitioner has been falsely implicated in the case in course of investigation wherein it is incorrectly alleged that it was on the confession of the petitioner that the stolen motorcycle was recovered. No



incriminating article has been recovered on the petitioner's confession and the story has been planted by the police/prosecution. The cause of petitioner's false implication is his antecedents. The petitioner has remained in custody since 2.5.2025. He undertakes to cooperate in the case/trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR, the material that has transpired in course of investigation as is evident from the order of the learned trial Court together with the petitioner having remained in custody for more than 10 months since 2.5.2025, the Court directs the petitioner to be enlarged on bail in connection with Saharsa Sadar P.S. Case no.508 of 2025 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Saharsa.

(Partha Sarthy, J)

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