

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49769 of 2026

Arising Out of PS. Case No.-166 Year-2019 Thana- ASHTHAWAN District- Nalanda

Manish Kumar S/O Ashok Prasad R/O Village- Manpur, P.S.- Sare, Distt.-
Nalanda, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mrs. Nivedita Nirvikar, Sr. Adv. Mr. Shashank Shekhar, Adv. Mr. Amarshakti, Adv. Mr. Arya Achint, Adv.
For the Opposite Party/s :	Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

2 22-07-2026 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is languishing in custody since 12.01.2026 and is seeking regular bail in connection with Asthawan P.S Case No. 166 of 2019 registered u/s 395 of the Indian Penal Code.

3. As per allegation made in the FIR, while the informant was going to Begusaria after loading sand in his truck, the road was found blocked by a tree, as a result of which, the informant stopped the truck. Thereafter, the accused persons caught hold of him and snatched away about Rs. 70,000/- to Rs. 80,000/- along with his mobile phone and the key of the vehicle.



4. Learned senior counsel appearing on behalf of the petitioner submits that he is not named in the FIR. During course of investigation, the name of the petitioner transpired in this case, on the basis of confession of one of the co-accused namely Sandeep Kumar. There is no eye witness to the occurrence. It is next submitted that no recovery either of the money or the other articles, has been made from conscious possession of the petitioner. No Test Identification Parade has been held. It is also submitted that the petitioner is an accused in 7 more cases except the present one; which are of 2019-20 and out of which, the petitioner has been granted bail in one case. It is submitted that on account of his criminal history, petitioner has been implicated. Learned counsel has referred to Annexure 2 i.e. the bail order of one of the co-accused Chotu @ Sunny @ Chintu Kumar, who has been allowed bail by a Co-ordinate Bench of this Court by order dated 27/02/2020 passed in Cr. Misc. No. 8642/2020.

5. Learned APP on behalf of the State has opposed the application and stated that charge-sheet has been submitted.

6. Taking into consideration the aforesaid facts and circumstances of the case as also the fact that the petitioner has not been named in the FIR and his name has transpired during



the course of investigation in the confession of the co-accused, and the other co-accused has been allowed bail, the prayer for bail is allowed and the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned J.M Ist Class, Bihar Sharif, Nalanda in connection with Asthawan P.S. Case No. 166 of 2019, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) Before release, the learned court below shall verify the criminal antecedent of the petitioner and if, he is found involved in any other case except the cases as mentioned in paragraph 3 of the bail application, his bail bond shall not be accepted.

(iv) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.



(v) It is also made clear that there shall not be any delay in verifying the criminal antecedent of the petitioner.

(vi) If the petitioner repeats the offence, the learned Court below shall take steps to cancel the bail bond of the petitioner.

7. The Superintendent of Police, Nalanda at Bihar Sharif is directed to keep vigil on the activity of the petitioner every month and send a report to the Court concerned.

8. Let a copy of the order be communicated to the Superintendent of Police, Nalanda at Bihar Sharif through FAX/Email for needful.

(Raj Kumar, J)

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