IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81663 of 2026

CNR No. BRHC011072312026

Arising Out of PS. Case No.-212 Year-2025 Thana- Panchanpur District- Gaya

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Naiks Kumar @ Naitik Kumar S/O Robin Yadav R/O Village- Naya Tola Jurabganj, P.S.- Kodha, Distt.- Katihar.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sarvesh Kashyap, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. This is an application for regular bail to the petitioner who has been made accused in connection with Panchanpur P.S. Case No. 212 of 2025 registered for the offences punishable under Sections 303 (2) of the BNS.

3. As per the prosecution case, informant withdrew Rs. 1,00,000/- from SBI, Panchanpur Bazar. He kept the money in the boot of his motorcycle and went to Khosboo Kirana Store to purchase grocery items. On returning, he found the motorcycle boot open and the money along with his passbook missing.vOn the basis of this the present case has been instituted.

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4. Learned counsel for the petitioner submits that petitioner is quite innocent, has committed no offence and has falsely been implicated in this case. Petitioner was not at all present on the place at the time of occurrence. The petitioner was arrested in Mairwa P.S. Case No. 524/2025 on 18.12.2025. The name of the petitioner has surfaced through own alleged confessional statement before police. It is submitted that informant never saw petitioner at the place of occurrence and there is no independent eye witness to the occurrence. There is no recovery of stolen money or passbook nor any recovery of motorcycle allegedly used in occurrence.

5. It is further submitted that the petitioner is not the owner of the said motorcycle. No TIP has been conducted and the petitioner has not been identified by the informant. Also, no any identification was done through CCTV footage. No incriminating article has been recovered from the conscious possession of this petitioner. Petitioner is implicated in this case only on the basis of confessional statement of the co-accused.

6. It is lastly submitted that the investigation has been completed and charge-sheet has been filed in this case. Petitioner is having two criminal antecedents and in both the cases he is on bail. Moreover, he is languishing in judicial

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custody since 22.04.2026. A Co-ordinate Bench of this Hon'ble Court has granted bail to the co-accused, namely, Bittu Yadav vide order dated 05.11.2026 passed in Cr. Misc. No. 79964 of 2026.

7. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, the period of custody as also taking into consideration the materials available on record, let the petitioner, above named, 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 learned ACJM-VIIIth, Gayaji/concerned court in connection with Panchanpur P.S. Case No. 212 of 2025, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(iii) if the petitioner tampers with the evidence or

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the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

Abhishek/-

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