IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75299 of 2026

CNR No. BRHC011093752026

Arising Out of PS. Case No.-71 Year-2026 Thana- NAURANGIA District- West Champaran

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Nitesh Kumar S/O Ashok Sah @ Ashok Prasad R/O Village- Ninwaliya, P.S.- Muffassil Bettiah, Distt.- West Chamapran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Niraj Kumar Sharma, Advocate
For the Opposite Party/s : Mr.Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Naurangiya P.S. Case No. 71 of 2026 registered for the alleged offences under Sections 318(4), 316(2), 303(2), 3(5) of BNS.

03. As per prosecution case, The E-rickshaw of the informant was hired by three persons and they fled away with E-rickshaw leaving behind the informant. The name of the petitioner transpired during investigation for being involved in the theft.

04. Learned counsel for the petitioner submits that the

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petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner. The name of the petitioner came up in this case in the confessional statement of co-accused Surendra Sah and except for the said confessional statement there is no material against the petitioner. No Test Identification Parade has been conducted to establish the involvement of the petitioner. Co-accused Surendra Sah has been granted bail by a learned Co-ordinate Bench vide order dated 07.10.2026 passed in Cr. Misc. No. 72339 of 2026 and case of the petitioner is on similar footing. The petitioner is having antecedent of three cases and petitioner is in custody since 31.08.2026.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the recovery of E-rickshaw has been made at the instance of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the grant of bail to the co-accused and period of custody, the petitioner above named is directed to 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

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Additional Chief Judicial Magistrate-II, Bagaha, West Champaran /concerned Court in connection with Naurangiya P.S. Case No. 71 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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