

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82598 of 2025

Arising Out of PS. Case No.-45 Year-2024 Thana- Mabby District- Darbhanga

Nagendra Kumar @ Nagendra Mahto S/o Ram Kishun Mahto Resident of
Village- Daulatpur Chandi, P.S.- Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Advocate Mr. Jharkhandi Upadhyay, Advocate
For the State	:	Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2026 Heard Mr. Mritunjay Kumar, learned counsel for the
petitioner and Mr. Ram Naresh Ray, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
12.12.2024, in connection with Mabbi P.S. Case No. 45 of 2025,
F.I.R. dated 25.08.2024 registered for the offences punishable
under Sections 310(2), 311 of the B.N.S.

3. The F.I.R. of the occurrence of dacoity is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named in
the F.I.R. and the name of the petitioner has been transpired on the
basis of confessional statement of co-accused person namely
Arbind Sahni which was recorded in Sarai Ranjan P.S. Case No.



133 of 2024 and nothing has been recovered from the conscious possession or the house of the petitioner and till date no TIP was conducted by the prosecution and except the confessional statement of co-accused person, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that co-accused person namely Pappu Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 30.07.2025 passed in Cr. Misc. No. 47408 of 2025 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 12.12.2024.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries twenty two cases other than the present one.

6. Considering the facts and circumstances of the case and the fact that the name of the petitioner has been transpired on the basis of confessional statement of co-accused person and till date no TIP was conducted by the prosecution as well as other co-accused person has been granted bail by a Coordinate Bench of this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Darbhanga in connection with Mabbi
P.S. Case No. 45 of 2024, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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