

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85614 of 2025**

Arising Out of PS. Case No.-297 Year-2025 Thana- DEEPNAGAR District- Nalanda

Nivas Kumar, S/o- Pappu Gop @ Papu Gop, R/v- Vijawanpar Ps- Deepnagar  
Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sunil Prasad, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

2      08-01-2026                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Deepnagar P.S. Case No.297 of 2025 registered for the offence punishable under Section 310(2) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant has alleged that two motorcycles borne five miscreants snatched away his mobile, ATM cards and Rs.1,000/- cash.

4. Learned counsel for the petitioner submits that he has falsely been implicated in this case merely because he carries two criminal cases of a similar nature. It has next been submitted that though the recovery of SIM card of the informant and 1,500/- rupees has been shown, however, no such recovery



was made from the conscious possession of the petitioner and the police has falsely implicated the petitioner. It has further been submitted that till date no TIP has been conducted to prove the identity of the petitioner to be involved in the present case. The confessional statement before the police is not admissible in law and the petitioner is in custody since 11.07.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Deepnagar P.S. Case No.297 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall



be at liberty to move for cancellation of his bail bond.

(v) The learned 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 antecedent, 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.

(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Nalanda within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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