

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91087 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- HALAI District- Samastipur

Nitish Kumar Son of Raja Ram Sahni R/O Vill.- Gunai Vahasi, P.S.- Tajpur,
District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Halai P.S. Case No. 83 of 2025 registered for the alleged offences under Section 309(4) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, four persons riding two motorcycles stopped the vehicle of the informant and threatened him with firearm. They stashed the mobile phone and cash from the informant and his associates. In this manner, they took away about Rs. 16,000/- cash apart from other articles. The name of the petitioner transpired during investigation for being involved in the said occurrence.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. The petitioner is in custody since 09.08.2025 and charge-sheet has been submitted. The petitioner is having antecedent of one more case. Learned counsel further submits that though recovery of looted motorcycle has been shown from this petitioner but the said recovery is planted. In fact, nothing incriminating has been recovered from the person or possession of the petitioner. No test identification parade was conducted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that recovery of looted article was made from this petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, 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 Judicial Magistrate 1st Class, Sahpur Patori, Samastipur/court concerned in connection with Halai P.S. Case No. 83 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and 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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