

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91400 of 2025

Arising Out of PS. Case No.-210 Year-2025 Thana- KURSAILA District- Katihar

Nitish Kumar Yadav @ Nitish Kumar Son of Late Vinod Yadav R/O- Kursela
Chowk, P.S.- Kursela, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with
Kursela P.S. Case No. 210 of 2025 dated 20.09.2025 registered
for the offences punishable under Sections 317(3), 317(5) and
3(5) of the B.N.S.

3. As per the prosecution case, the police got an
information that the petitioner and others have kept stolen
motorcycle in their house and on raid, the same was recovered
from the house of the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner has falsely implicated merely because the motorcycle was recovered from the house of the petitioner. It has further been submitted that it is not clear as to who has brought the said motorcycle to the house and in fact the case of the petitioner is that it was younger brother Chotu who had got the said motorcycle. It has further been submitted that the said house is a joint house of the petitioner along with his brother and the allegation that the petitioner deal in share and purchase of stolen motorcycle is also false and concocted. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 21.09.2025.

5. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor court in connection with Katihar P.S. Case No. 210 of 2025, subject to the following terms and conditions :-

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



(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(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) The trial court 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 trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

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

8. The application stands allowed.

(Sourendra Pandey, J)

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