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IN THE COURT OF 1st ADDL. SESSIONS JUDGE, MUZAFFARPUR

B.P. No. 892/2026

Nitish Kumar..... Petitioner.

Vs.

State of Bihar.....O.P.

O R D E R

17.07.2026

This application has been filed, on behalf of the accused petitioner in custody, namely, Nitish Kumar, for grant of regular bail, in connection with Sakra P.S. Case No. 281/2026, registered U/Ss 316(2), 318(4), 303(2) of the B.N.S., pending in the Ld. Court of A.C.J.M. 15th, Muzaffarpur (East).

Heard arguments of Ld. Counsel, appearing for the accused petitioner and Ld. A.P.P. for the State.

Ld. Counsel for the accused petitioner has submitted that previously no anticipatory or regular bail petitions of any nature had been filed on behalf of the accused petitioner, either in this court or before the Hon'ble High Court. That the petitioner has got criminal history of seven cases. That the petitioner is quite innocent and has falsely been implicated in this case, by the police at the instance of his enemies. That the petitioner is not named in the FIR and the entire allegations as levelled, against the petitioner are, false and fabricated. That nothing has been recovered from possession of the petitioner and all the incriminating articles mentioned in the seizure list are planted by the police. That the petitioner has no concern with the phone on which the informant had exchanged talks and thereafter his money was illegally withdrawn. That the petitioner is in judicial custody, in this case, since 18.05.2026. Ld. Counsel for the petitioner side, prays for his release on bail.

Ld. A.P.P. for the state, opposed the prayer for bail.

Perused the record, including the FIR and case diary, from pars no. 01 to 57. From perusal of the record, it transpires that the petitioner is not named in the FIR and his name has surfaced in this case on the basis of purported information of undisclosed spy, given to the police (as mentioned in para no. 11). As per search and seizure memo three ATM cards have been recovered from possession of the petitioner. There is no recovery of money from possession of this petitioner and no specific overt act has been attributed to him. The petitioner is in judicial custody, in this case, since 18.05.2026.

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Considering the aforementioned facts and circumstances of the case, including period of jail custody, I am inclined to enlarge the petitioner on bail. Accordingly, bail application of the accused petitioner, namely, **Nitish Kumar**, stands **allowed** and he is directed to be released on bail, on furnishing a bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount, to the satisfaction of the Ld. Court below. Let a copy of this order be sent to the court concerned, for needful.

(Dictated)

Sd./-

1st Addl. Sessions Judge
Muzaffarpur