

In the Court of Additional Sessions Judge-I, Masaurhi

Bail Petition No.41/2026

[Punpun P.S.Case No.345/2022]

1. **Nitish Kumar**, aged about 21 years, S/o- Kameshwar Kewat,
R/o- Vill. Marsuwan, P.S. Makhdumpur (Tehta OP), Dist. Jehanabad.
..... **Petitioner**

Versus

1. State of Bihar through Addl. Public Prosecutor
..... **Opposite Party**
Regular Bail Petition Under Section 483 of BNSS

For the petitioner/s : Mr. Murari Prasad, Advocate
For the O.P. State : Mr. Dhananjay Kumar, Addl. P.P.

ORDER

Dated: 06.04.2026

This bail petition has been filed on behalf of petitioner **Nitish Kumar** in connection with Punpun P.S. Case No.345/2022 for the offence punishable U/s 379,411/34 of the IPC which is pending in the court of the SDJM, Masaurhi is being pressed today and heard.

The case of the prosecution as per written report of Om Prakash is that his Bolero vehicle bearing registration no.BR09R0631 Mahindra Bolero DI-08/2014 Engine No.GHE4E64434, Chasis No.MA1XA2G-HKE5F79742 (white colour) was parked at his door and in the next morning when he got up at 5:00 O' Clock, he found that his vehicle was missing from there and he tried to search his vehicle but failed to search out. Thereafter informant filed this information before police station.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner has earlier not moved any bail petition either anticipatory or regular before this court or before the Hon'ble Court. Petitioner has two criminal antecedent vide Bihar P.S. Case No. 863/2022 and Giriyak P.S. Case No. 241/2023 out of which petitioner has been released on bail on Bihar P.S. Case No. 863/2022. Petitioner is innocent and has falsely been implicated in this case. Petitioner has been remanded from Giriyak P.S. Case No. 241/2023 on 25.09.2025 and till date petitioner is in judicial custody. Petitioner undertake to abide by all conditions imposed by the court and shall cooperate in the trial and investigation. Prayer has been made to enlarge petitioners on bail.

On the other hand the learned Addl. P.P. for the State vehemently opposed the prayer for regular bail of the accused-petitioners named above.

Heard both the sides and perused the case record as well TCR. Para 77 of the original CD reveals that the aforesaid Bolero vehicle was recovered on 11.11.2022 in connection with Bihar P.S. Case No. 863/2022 and para 81 of CD also reveals that this recovered vehicle is also related to Punpun P.S. Case No. 345/2022 with regard to theft of Bolero vehicle. As per para 3 of the bail of the petition, the petitioner has two criminal antecedent. The petitioner is in judicial custody since 25.09.2025 and the LCR reveals that the charges have been framed against the accused on 15.12.2025 and thereafter, the prosecution has not led any evidence.

Considering, period of custody of more than six months and the aforesaid facts and circumstances, this bail petition is hereby **allowed** and consequently, petitioner is hereby directed to be released on bail forthwith on furnishing bail bond of **Rs.10000/- (Rupees Ten thousand)** with two sureties of the like amount each to the satisfaction of the court concerned in terms of Section 480(3) of BNSS **with condition that one of the bailors shall be family member of the petitioner.** Accordingly, this bail application is hereby disposed of.

Let a copy of this order be sent to the court concerned.

(Dictated)

Sd/-

(Sankash Chandra)
Addl. Sessions Judge-I,
Masaurhi