

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13484 of 2024

Arising Out of PS. Case No.-521 Year-2023 Thana- NARHATT District- Nawada

Nishant Kumar @ Munna, S/O Late Anil Singh, R/O Village And P.S- Narhat,
Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hansraj, Adv.
For the State	:	Mr. Ram Naresh Ray, APP
For the Informant	:	Mr. Aklavya Chandan Kumar, Adv. Mr. Jai Nandan Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

6 13-09-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. Petitioner seeks regular bail in connection with Narhat P.S. Case No. 521/2023 dated 28.10.2023 registered for the offences punishable under Sections 302, 201 and 120B of the Indian Penal Code.

3. Mr. Hansraj, learned counsel appearing for the petitioner submits that in the FIR, there is no specific allegation against this petitioner, he is simply alleged to have accompanied the victim and other co-accused persons to the house of co-accused, namely, Golu Kumar and except this, there is no specific allegation against him. As per the allegation, it was co-accused Golu Kumar with whom the victim left his house. Learned counsel further submits that the petitioner has got no



criminal antecedent and one co-accused, namely, Nikku Kumar @ Virat Singh carrying similar nature of allegation has been granted bail by this Court vide order passed in Cr. Misc. No. 28242/2024 and the petitioner has been languishing in jail since 02.11.2023 and against him, the investigation has been completed. It is further submitted that the petitioner is a Government servant and his house is far away from the place of occurrence, so, there was no possibility of his involvement in the alleged crime at the alleged time.

4. On the other hand, Mr. Aklavya Chandan Kumar, learned counsel for the informant has vehemently opposed the bail prayer of the petitioner and submitted that the petitioner was also involved in killing of the victim and during investigation, he confessed his involvement in the alleged crime and during investigation, two witnesses claiming themselves to be eyewitnesses of the alleged occurrence made allegation against this petitioner and further the learned Magistrate finding the sufficient *prima facie* material as to the petitioner's involvement in the alleged crime has taken cognizance of the alleged offences against him.

5. Mr. Ram Naresh Ray, learned APP for the State has also opposed the bail prayer of the petitioner.



6. Heard both the sides and perused the FIR and the order impugned. The petitioner has got no criminal antecedent and he is said to be a Government servant and as per the FIR, the dead body was recovered from the house of the co-accused Golu Kumar and one co-accused Nikku Kumar carrying similar nature of allegation has been granted bail by this Court and in the present time, the petitioner is facing trial, in my opinion, in the said circumstances, the petitioner deserves to the privilege of grant of bail. Accordingly, let the petitioner named-above 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 concerned Court in connection with Narhat P.S. Case No. 521/2023.

(Shailendra Singh, J)

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