

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68111 of 2024**

Arising Out of PS. Case No.-139 Year-2015 Thana- PATEPUR District- Vaishali

Nitesh Kumar @ Karaha @ Karla @ Nitish Kumar @ Binnay Anand S/o  
Shambhu Kr. Rai R/o Village- Amarpur P. S. - Barauni Dist. - Begusarai  
... .. Petitioner

Versus

The State of Bihar ... .. Opposite Party

**Appearance :**

For the Petitioner : Mr.Dilip Kumar Roy, Advocate  
For the Opposite Party : Mr.Rajesh Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      23-10-2024                      Heard learned counsel for the petitioner and the  
State.

2. Petitioner apprehends arrest in a case registered for  
the offence punishable under sections 363,365, 302/201 and  
other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, 23 years old  
informant's son had gone to attend a marriage ceremony of his  
friend along with petitioner and other accused persons, where he  
was abducted by other accused persons on Scorpio vehicle.  
Later on, his dead body was recovered from a latrine tank of a  
school.

4. Learned counsel appearing for the petitioner  
submits that petitioner is not named in the FIR and police made  
him witness but later on supervising authority has made the  
petitioner as accused in the case. Petitioner claims clean



antecedent.

5. Learned counsel for the State opposes the prayer for bail. He submits that the petitioner’s involvement has come in the case in the re-statement of the informant as mentioned in paragraph 33 of the case diary. Post mortem report of the deceased shows that the antimortem injuries were found on the body of the deceased, which was dangerous to life and caused by hard and blunt forces. Doctor opined that the cause of death was due to intracranial haemorrhage, compression and shock.

6. Considering the nature and gravity of allegation, prayer for bail of the petitioner is rejected.

**(Prabhat Kumar Singh, J)**

Shashi

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