

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66246 of 2024**

Arising Out of PS. Case No.-102 Year-2022 Thana- BARABAR TOURIST District-  
Jehanabad

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Nitish Kumar @ Nitish Kumar Chaudhary S/O Kapildev Choudhary R/O  
Village- Mehdipur, P.S- Ghosi, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Birendra Kumar  
For the Opposite Party/s : Mr.Ganesh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      05-10-2024                      Heard the learned counsel for the petitioner and the  
  
learned APP for the State.

2. This is the 2<sup>nd</sup> attempt of the petitioner. Earlier the  
bail application of the petitioner was rejected vide order dated  
24.01.2024 passed in Cr. Misc. No. 2794 of 2024.

3. The petitioner seeks regular bail in a case registered  
for the offence under Sections 302/34 of the Indian Penal Code.

4. The following order was passed on 24.01.2024 in  
Cr. Misc. No. 2794 of 2024:-

Heard learned Counsel for the  
petitioner and learned Additional Public Prosecutor  
for the State.

2. This application, for grant of regular  
bail, arises out of Barabar Tourist Police Station  
Case No. 102 of 2022, registered for the offence  
punishable under Section 302/34 of the Indian Penal  
Code.



3. The petitioner and others accused persons are said to have killed the deceased. The petitioner pressed the neck of the deceased and the post-mortem report supports the allegation against the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated due to election dispute. He has tried to make out a case that the deceased has died somewhere else and this false case has been registered. The petitioner is in jail since 18.09.2023.

5. Learned counsel for the respondent opposed the prayer for bail and submits that the petitioner is the main assailant of the deceased.

6. Considering the direct allegation levelled against the petitioner, I am not inclined to grant bail to the petitioner. This application is dismissed.

7. The trial Court is directed to expedite the trial.

5. No ground for review is made out.

6. Accordingly, this application for regular bail is hereby rejected again.

7. The court below is directed to expedite the trial of the petitioner.

(Sandeep Kumar, J)

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