

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70474 of 2023

Arising Out of PS. Case No.-208 Year-2022 Thana- DANAPUR District- Patna

Nitish Kumar @ Nitish Yadav Son Of Late Uday Yadav Village- Anauli Ps-
Bhagwanganj Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Danapur P.S. Case No. 208 of 2022 instituted for the offence
under Sections 302, 34 and 120B of the Indian Penal Code and
Section 27 of the Arms Act.

Allegation against the petitioner along with other co-
accused persons is that they committed murder of the
informant's husband by indiscriminate firing.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this present case
due to land dispute. The petitioner is not named in FIR rather his
name came into light in this case on the basis of confessional
statement of one Rajnish Kumar. Moreover, the petitioner is



languishing in judicial custody since 14.05.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that During investigation, the name of the petitioner has come on the confessional statement of co-accused Rajnish who said about the complicity of the petitioner as well in this case and later on, the confessional statement of the petitioner was recorded which is on para-161 of the case diary, in which he confessed his guilt and said that he along with other co-accused persons committed murder of the informant's husband by fire arm on the order of one Umesh Rai with whom the deceased had dispute. Police has recovered incriminating article from the possession of this petitioner. During investigation, witnesses supported the prosecution case and petitioner has ten criminal antecedents as well. From perusal of the postmortem report, the doctor opined that the cause of the death of the deceased is due to injuries caused by firearms.

Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite the trial and



conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

