

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24731 of 2025

Arising Out of PS. Case No.-385 Year-2024 Thana- MUNGER MUFFASIL District- Munger

Nikesh Kumar S/O Sanoj Yadav R/o Vill.- Sitakund Dih, P.S - Muffasil,
District - Munger

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil P.S. Case No. 385 of 2024 dated 01.11.2024 registered for the offences punishable under Sections 109, 61(2) of B.N.S. and Section 27 of the Arms Act and later on 103(1) of B.N.S. has been added.

3. As per the prosecution case, on 30.10.2024, the informant, after taking meal at night, was going towards Sita Kund, he saw that his brother Md. Ali Akbar was sitting at tea shop. Thereafter, his brother along with 7-8 persons proceeded towards east then the informant asked him where you were going. One person namely, Lalji @ Lal Baboo who was along with brother of informant told the informant that they were going towards village Dih and they would return after attending



a party. The brother of informant had gone towards village Dih along with the petitioner and the co-accused persons namely, Suraj, Lalji @ Lal Baboo, Sudhanshu @ Shubham Paswan, Rahul Choudhary, Shirkant Chodhary, Sunny Kumar and Sonu Kumar. At late night, the informant tried to contact with his brother but mobile phone of his brother was found switched off. On searched on 31.10.2024, the informant came to know that his brother was found unconscious at the Bathan of Lalji @ Lal Baboo. When the informant reached there, he found that his brother was found soaked with blood and there was an injury on his right side of head. In the meanwhile, the co-accused Bul Bul Devi came and threatened that her son and his associates assaulted him. The brother of informant was brought to Sadar Hospital, Munger from where he was referred to National Hospital, Munger and thereafter he was referred to Patna for better treatment. The informant believed that the petitioner and the co-accused persons have committed the offence under conspiracy and also helped her son Lalji @ Lal Baboo to escape.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to non-fulfillment of illegal demand made by the



informant. The name of the petitioner has sprung up in this case on mere suspicion. The petitioner has no concern with the alleged occurrence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.11.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the deceased was last seen alive with the petitioner and the co-accused persons. It is further submitted that from perusal of the FIR, it appears that the petitioner is one of the alleged conspirator of this case.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of offence against the petitioner, this court is not inclined to grant bail to the petitioner and the same is rejected in connection with Muffasil P.S. Case No. 385 of 2024, pending in the Court of learned District & Additional Sessions Judge-IV, Munger.

7. Learned court below is directed to conclude the trial of the petitioner at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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