

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32726 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- KHARIK District- Bhagalpur

1. Nitish Kumar S/o Srikant Sah Resident of Village- Mahadatpur, PS- Naugachia, Distt.- Bhagalpur
2. Ranjeet Kumar S/o Srikant Sah Resident of Village- Mahadatpur, PS- Naugachia, Distt.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-05-2025 Heard Mr. Amrendra Kumar, learned counsel for the
petitioners and Mr. Anish Chandra, learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under section 309(6) of the B.N.S.

3. The case of the prosecution is that on 26.01.2025 at 8:00 PM, the informant has gone to purchase vegetables on a toto where two ladies met there, they alighted after some time. Two boys boarded on a toto and booked him for chakmaida. The informant was not willing to go there but the petitioners and other pressurized him. It is further alleged that his hands were tied and near banana fields, his mobile and toto were snatched



and he was assaulted also by them.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Learned counsel for the petitioners has submitted that from perusal of the FIR, it will transpire that there is no specific allegation against any of the accused persons rather the nature of allegation is general and omnibus. The FIR was filed against unknown miscreants. During course of investigation, one Monu has given his confessional statement and in his confessional statement, he has named these petitioners. There is nothing against the petitioners except confessional statement. From perusal of the injury report, it transpires that the informant has received simple injury. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 28.01.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with



Kharik P.S. Case No. 26 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Naugachia, Bhagalpur.

7. Before parting, it is worth noting that from perusal of the order of the trial court it transpires that in the last part of the order, the trial court has recorded “ from para- ‘37’ of the case diary, it is found that victim Sakal Kumar succumbed to the injuries during course of his treatment”.

8. While from perusal of the para- ‘37’ of the diary, it transpires that it is seizure list. Trial Court is directed not to misquote the paras of the diary and to use proper words.

(Ashok Kumar Pandey, J)

Shubham/-

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

