

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47054 of 2025

Arising Out of PS. Case No.-663 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Nitish Kumar S/o Gopal Singh @ Rajesh Kumar R/o Village- Pahsara, P.S.-
Nawkothe, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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

ORAL ORDER

2 13-08-2025 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 Mufassil P.S. Case No. 663 of 2020 dated 28.12.2020 registered for the offences punishable under Section 302 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused person are alleged to have committed murder of the informant's son by firing on his head.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is no specific allegation against the petitioner



rather the allegation against the petitioner is general and omnibus in nature. The charge-sheet has been submitted against the petitioner. It is further submitted that there is no eye-witness to the alleged occurrence. The petitioner has no concern with the alleged offence. The petitioner has 15 criminal antecedents in which one case is related to the offence u/s 302 of the I.P.C. as stated in para 3 of the bail petition. The petitioner is in custody since 16.02.2023.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Mufassil P.S. Case No. 663 of 2020, with a condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

(ii) If the petitioner is found involved in similar



nature of offence, i.e. u/s 302 of the I.P.C., in future, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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