

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33668 of 2025

Arising Out of PS. Case No.-642 Year-2024 Thana- DANAPUR District- Patna

Nikhil Kumar @ Karan Kumar @ Nikhil S/O Shankar Rai Resident of
Village- Ramjichak, Bataganj, PS- Digha, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hemendra Prasad Singh, Sr. Advocate Mr. Kamlesh Prasad Yadav, Advocate
For the State	:	Mr. Syed Mojibur Rahman, APP
For the Informant	:	Mr. Sunit Kumar Srivastava, Advocate Mr. Sudhanshu Trivedi, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel appearing on behalf
of the informant.

2. In the present case, the petitioner seeks bail in connection with Danapur P.S. Case No. 643 of 2024 registered for the alleged offences under Sections 304, 110 of B.N.S. and subsequently, Section 105, 3(5) of B.N.S. was also added.

3. As per prosecution case, while the brother of the informant had been going to his work place on a e-rickshaw, two persons on a motorcycle snatched the bag being carried by the brother of the informant. The brother of the informant fell down and sustained injury and subsequently, succumbed to his



injuries during treatment. The name of the petitioner transpired as one of the snatchers.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no cogent material to show the involvement of the petitioner in the whole occurrence. The name of the petitioner transpired in this case after six months of the occurrence. Though, CCTV footage have been checked but nowhere the same indicates involvement of the petitioner. Further, it has been alleged that recovery of Aadhar Card of the deceased has been made from the house of the petitioner but while registering the FIR, the brother of the deceased has not stated anything about Aadhar Card. Learned counsel further submits that, moreover, the allegation is of snatching of the bag and if during the occurrence, the brother of the informant fell down and sustained injuries and subsequently died, it would not amount to offence of murder. The petitioner is having clean antecedent and he is in custody since 04.02.2025 and charge sheet has been submitted.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the Aadhar Card of the deceased has



been recovered from the house of the petitioner and the motorcycle used in the crime was also seized. The same could be matched with CCTV footage. On this aspect, further the investigation is being carried. Learned counsel further submits that after the death of the brother of the informant, Section 105, 3(5) of B.N.S. has been added.

6. Considering the recovery of belongings of the deceased from the possession of this petitioner and further considering the serious nature of allegation, I am not inclined to enlarge the petitioner on bail and hence, his prayer for bail is rejected.

7. Learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Arun Kumar Jha, J)

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