

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36052 of 2025

Arising Out of PS. Case No.-423 Year-2024 Thana- CHANDAUTI District- Gaya

Nitish Kumar S/o Satyendra Yadav R/o Vill- Chiraiya Tand, P.S.- Chandauti,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyaveer Jha

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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

ORAL ORDER

2 22-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Chandauti P.S. Case No. 423 of 2024 dated 09.11.2024 registered for the offences punishable u/ss 190, 191(2), 115(2), 117(2), 126(2), 109, 324(4), 74, 127(2), 118, 351(2) and 352 of the B.N.S.

3. As per the prosecution case, when the informant was going to his agricultural land riding on a motorcycle. As soon as he reached near Devi Sthan of the village, five named accused persons including the petitioner rushed to the spot lashed with country made pistol, sword, lathi and rod etc and assaulted the informant and started abusing him. The co-accused



Ranjan Yadav assaulted on his head with sword with an intention to kill him due to which the informant sustained injury on his head. The co-accused, Santosh Yadav assaulted the informant with rod causing injury in his hand. Thereafter, the informant fled away inside the temple then the accused persons damaged the motorcycle of the informant. The petitioner, Ranjan Yadav started firing on the temple to kill the informant but the bullet did not hit him. Thereafter, the co-accused Ranjan Yadav fired on the informant's sister-in-law, Manju Devi and the bullet hit to her neck. It is further alleged that the petitioner and the co-accused persons assaulted the villagers and the informant's sister-in-law, Manju Devi causing injuries to them. The villager, Geeta Devi also sustained fracture in her hand. The accused, Nitish Kumar (the petitioner) and Ranjan Yadav dragged the informant's sister-in-law by catching hold of her hair due to which she became naked. The co-accused, Jay Prakash snatched the informant's mobile. When the local people gathered there then all the accused persons fled away from the spot and threatened the informant to kill him if he lodged any case.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. It is further submitted that there is a delay of seven days in lodging the F.I.R. without any explanation. There is general and omnibus allegation against the petitioner. As per the impugned order, the injured, Manju Devi and Deepak Kumar sustained injuries which are simple in nature. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by this court *vide* order dated 12.05.2025 passed in Cr. Misc. No. 29429/2025. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. The injured, Geeta Devi and Sukhdev Yadav sustained injury which is stated to be grievous in nature.

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, Gaya in connection with Chandauti P.S. Case No. 423 of 2024, with the 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 is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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