

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41419 of 2025

Arising Out of PS. Case No.-364 Year-2024 Thana- NEMDARGANJ District- Nawada

Nikku Kumar S/o Baithu Yadav @ Ashok Kumar Village- Jalalpur, P.s. -
Nemdarganj, District- Nawada

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Deepak Kumar
For the Opposite Party	:	Mr. Arun Kumar Pandey
For the Informant	:	Mr. Amit Ranjan

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 03-09-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nemdarganj P.S. Case No. 364/2024 dated 21.11.2024 registered for the offences punishable u/ss 190, 191(2), 126(2), 115(2), 117(2), 109, 324(4) of the BNS and later on added section 103(1) of the BNS.

3. As per the prosecution case, the co-accused persons armed with various weapons are alleged to have come and started abusing the informant's husband. On the exhortation of the co-accused Mukesh Yadav, all the accused persons started assaulting the informant's husband and, in the meantime, Munni Yadav assaulted the informant's husband with Khanti on his



head causing severe injury and he fell down. When the informant went to rescue, the petitioner and the co-accused persons also assaulted the informant and her husband and Tara Devi broke her finger and assaulted on her head and they also broke her mobile phone and the door and the window of her house.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner rather the specific allegation of assaulting the informant's husband is against the co-accused Munni Yadav. 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 25.06.2025 passed in Cr. Misc. No. 37912/2025. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.02.2025.

5. Learned A.P.P. for the State as well as the learned counsel for the informant have vehemently opposed the bail petition of the petitioner by submitting that the specific allegation of assaulting the informant's husband is against the co-accused Munni Yadav due to which he died in the course of



the treatment.

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, Nawada in connection with Nemdarganj P.S. Case No. 364/2024, 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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