

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38160 of 2025

Arising Out of PS. Case No.-453 Year-2024 Thana- SINGHESHWAR District- Madhepura

Nikesh Kumar Son of Dipnarayan Rajbhar @ Dipnarayan Mandal Resident of
village - Nishiharpur, Ward No.- 1, P.S.- Shankarpur, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 08-08-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Singheshwar P.S. Case No. 453 of 2024, instituted for the offences punishable under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the petitioner along with other co-accused persons have committed murder of informant's father by firearm.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case in course of investigation. No specific allegation is attributed against the petitioner of firing upon the deceased rather the same is general and omnibus in nature. It is further submitted that specific allegation of firing is against co-accused, namely, Sanjay Sah. The petitioner is in custody since 07.02.2025 and has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that co-accused person has been granted bail by this Court vide order dated 30.07.2025 passed in Cr. Misc. No. 26405 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation of firing against the petitioner and the petitioner has also confessed his complicity in paragraph no. 41 of the case diary. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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