

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44482 of 2025

Arising Out of PS. Case No.-200 Year-2023 Thana- MURLIGANJ District- Madhepura

Neetish Kumar @ Nitish Kumar @ Nitish Yadav Son of Sadanand Yadav
Resident of Village- Raibhir, Ward No. 7, P.s.- Shankarpur, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarnath Jha, Adv.
For the informant	:	Mr. Ravi Bhushan, Adv.
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

5 14-11-2025 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 Murliganj P.S. Case No. 200 of 2023 dated 27.05.2023 registered for the offences punishable u/ss 341, 342, 386, 302, 120B, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 26.05.2023, when the informant and her husband were going from their house on a motorcycle towards Murliganj and when they reached near the canal at Tilakoda village, the petitioner and the co-accused persons along with some unknown miscreants armed with weapons surrounded the informant's husband. The co-accused,



Anil Yadav abused the informant's husband and told that he is demanding Rs. 5 lakhs as extortion money for the last six months but the said demand has not been fulfilled. On the exhortation of the co-accused Sunil Verma, the co-accused Anil Yadav fired on the informant's husband which hit on his chest and the co-accused, Bauua Yadav fired the second shot which hit on his chest near the arm. The petitioner fired the third shot on the informant's husband which hit near his temple. Thereafter, the informant's husband fell down on the ground and the co-accused, Sharvan Kumar and Vijay Kumar also fired on him which hit on his body and he became unconscious and later on, he died on the spot. It is further alleged that the informant claims that the accused persons named in the F.I.R. have committed murder of her husband under conspiracy.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. As per the post-mortem report of the deceased, the cause of death is haemorrhage and shock due to injury by firearms. Learned counsel has further submitted that as per the F.I.R., the petitioner fired on the deceased which hit on his temple but from perusal of the post-mortem report, no



any injury was found near the temple of the deceased. The charge-sheet has been submitted against the petitioner. The petitioner has ten criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 31.05.2023.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and submitted that the petitioner and the co-accused persons are involved in the commission of murder of the informant's husband.

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, Madhepura in connection with Murliganj P.S. Case No. 200 of 2023 with the conditions :-

(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 bond of the petitioner is liable to be cancelled.

(ii) If the petitioner is found involved



*in similar nature of offence in future,
the prosecution will be at liberty to
move for cancellation of his bail bonds.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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