

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44700 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- BARH District- Patna

Nitish Kumar Vijay Prasad @ Vijay Yadav R/o Vill- Gulab Bag, P.S.- Barh,
Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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

ORAL ORDER

5 19-11-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 32 of 2025 instituted for the offences under
Sections 103, 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the petitioner
along with other co-accused persons killed the informant's
mother and disposed of her body.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that the petitioner has been
named in the FIR only on the basis of suspicion. There is no



eye-witness to the occurrence. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.01.2025 and has two criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that as per the material available in the case diary, the petitioner has himself confessed his guilt and disclosed the manner in which he committed the murder of the deceased. It is further submitted that, during investigation, the petitioner's mobile tower location was also found to be at the place of occurrence.

6. Considering the aforesaid facts and circumstances of the case as also there being ample material against the petitioner in the case diary to show his involvement in the alleged offence, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to



renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of six months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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