

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50417 of 2025

Arising Out of PS. Case No.-643 Year-2024 Thana- KHAJANCHI HAT District- Purnia

Nishant Yadav @ Nishant Kumar @ Nishu S/o Neeraj Yadav R/o Village-
New Sipahi Tola, Ward No 07, P.S.- K. Hat, Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Adv
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with K. Hat

P.S. Case No. 643 of 2024 registered for the offences under

Sections 103(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. The petitioner is named in the F.I.R. and is in custody

since 08.02.2025.

4. As per FIR husband of informant was murdered by

named co-accused persons after calling him from home.

5. Learned counsel appearing on behalf of the petitioner

submitted that informant is not the eye-witness of the occurrence

and entire allegation *qua* physical assault and involvement of

named accused persons is based upon hearsay input as provided



by brother-in-law of the informant. It is submitted that if version of informant be accepted true, it appears that several persons were involved in alleged physical assault, where only one injury was found upon head of husband of informant, which proves fatal. In this context it is submitted that prima-facie allegation *qua* collective physical assault appears doubtful in view of number of injuries. It is also pointed out that similarly situated co-accused namely Pramod Yadav has granted bail by one of the learned Coordinate Bench of this Court through Cr. Misc. No. 19885 of 2025 dated 20.08.2025 and therefore, as a matter of parity this petitioner also deserves bail. While concluding the argument it is submitted that, petitioner found involved in one more case, where he is on bail and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as the allegation of physical assault prima-facie appears general and omnibus raised on the basis of hearsay input supplied by brother-in-law of the informant, coupled with the fact as petitioner remains in custody since 08.02.2025, accordingly



above named petitioner, is directed to be released on bail in connection with K. Hat P.S. Case No. 643 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd District Additional Sessions Judge, Purnea/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

