

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54641 of 2025

Arising Out of PS. Case No.-427 Year-2025 Thana- NAWADA District- Nawada

Nitish Kumar @ Nitish Kumari S/o- Nawal Kumar Yadav @ Nawal Kumar
Resident of Village- Jangal Beldariya Ps- Nawada District- Nawada
... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sheo Kumar Prasad, Advocate
For the State	:	Mr. Umanath Mishra, APP
For the Informant	:	Ms. Vijaya Laxmi Srivastava, Advocate Ms. Muskan Singh, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 15-11-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 103(1), 61 (2) and 3 (5) of
the Bharatiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that upon an
information received by the informant that his son was shot
dead, he had come running to the place of occurrence where a
disclosure was made about the names of the assailants including
the name of the petitioner.

4. It is submitted by learned counsel for the
petitioner that it was one Uday Prakash Yadav who had
threatened to cause the death of the informant's son. It is further
submitted that the F.I.R. was lodged after delay of 24 hours and
he has been falsely implicated due to old enmity existing



between them. Further, there is no specific allegations of firing on the petitioner and there is no eye witness to the occurrence. It is further submitted that the allegation against the petitioner is only based on the confessional statement of the co-accused wherein the role has also been attributed to him in the context of planning and conspiracy. Petitioner is languishing in custody since 30.04.2025 and charge sheet has been submitted.

5. Learned APP for the State and learned counsel for the informant vehemently opposed the bail petition on the ground of allegations made in the first information report and the materials collected during course of investigation including the confessional statement of the co-accused leading to recovery of murder weapon and also that the petitioner has five criminal antecedents.

6. Taking into facts and circumstances of the case, the seriousness and gravity of the offence and also considering the materials collected during the course of investigation, I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected at this stage.

(Soni Shrivastava, J)

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