

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54044 of 2025

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

Nistu Kumar @ Nishtu Kumar@ Nishthu Kumar @ Boua Yadav Anil Yadav
@ Anil Kumar Resident of Pokhram, Ward No.- 03, P.S.- Murliganj, District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Pushpa Sinha

For the Informant : Mr. Ravi Bhushan

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-11-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Murliganj P.S. Case No. 200 of 2023 dated 27.05.2023
registered for the offences punishable under Sections 341,
342, 386, 302, 120B, 504, 506 of the I.P.C. and Section 27 of
the Arms Act.

3. As per the prosecution case, on 26.05.2023 at
about 10.00 A.M., the informant alongwith her husband Dilip
Kumar was going to Murliganj on his motorcycle and as soon
as they reached at about 1.5 K.M., from their house in the
village-Tilkoda, near the canal, saw that Anil Yadav, Baua



Yadav (petitioner), Shravan Kumar, Vijay Kumar, Sunil Verma, Nitish Kumar and other unknown miscreants armed with weapons in their hands surrounded the husband of the informant. The informant and her husband got down from the motorcycle and stood there due to fear. It is further alleged that Anil Yadav told the husband of the informant by abusing him that he had been demanding Rs. 5,00,000/- as ransom for the last six months and he had also called the informant's husband but he did not pay any heed about it. Thereafter, on the exhortation of the co-accused Sunil Verma to kill the informant's husband, the co-accused Anil Yadav fired which hit the chest of the informant's husband, and the petitioner Baua Yadav fired which hit the chest near the arm of the informant's husband, and the co-accused Nitish Kumar fired which hit the temporal region of the informant's husband due to which he fell down on the ground. It is further alleged that the co-accused Shravan Kumar and Vijay Kumar have also fired which hit the body of the informant's husband. Thereafter, her husband became unconscious. It is further alleged that on the hearing of sound of firing and hulla raised by the informant, nearby people assembled there but by that time, the informant's husband was dead. It is further alleged



that earlier, the residents of the said Panchayat, Rita Verma, Rekha Devi, Ravindra Baitha and Dhirendra Ram was threatening to kill them. It is further alleged that the informant came to know through the local people that in the said occurrence, Kunal Kumar, Ashish Yadav, Raj Kishore Kumar were working as a liner. It is further alleged that the informant believed that the aforesaid named persons and other unknown criminals in a conspiracy with each other have committed the said occurrence. The dead body of the deceased was sent by the police for postmortem.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that during the course of investigation, the police could not collect any cogent material against the petitioner. The supplementary charge sheet has been submitted in the present case for the offences punishable under Sections 341, 342, 386, 302, 120B, 504, 506 of the I.P.C., Sections 25(1-b)a, 26, 27, 35 of the Arms Act, Sections 8, 20,(b)(ii)(A) and 25 of the N.D.P.S. Act. The petitioner has falsely been implicated in the present case due to local village politics. It is further submitted that there is no independent witness to the alleged offence and all



the witnesses examined during the course of investigation are family members of the informant. There is general and omnibus allegation against the petitioner. The petitioner has no concern with the alleged offence. No incriminating article has been recovered from the possession of the petitioner. The petitioner has three criminal antecedents as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 09.06.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner and has further submitted that the petitioner is named in the F.I.R. He further submits that the petitioner alongwith the other co-accused persons fired on the husband of the informant, due to which, he died. The postmortem report also suggests the cause of death is 'Haemorrhage and shock due to above mentioned injury by firearm (Gunshot).

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 condition/s:-

(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.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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