

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52679 of 2025

Arising Out of PS. Case No.-347 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

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Nitish Kumar @ Bholu Yadav S/O Narendra Yadav R/O Village- Chharapati,
P.S.- Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pranav Kumar
For the Opposite Party/s : Mr.Meena Singh

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

ORAL ORDER

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

2. The petitioner has preferred this application for grant of regular bail in connection with Sahebpur Kamal P.S. Case No. 347 of 2023 dated 18.12.2023 registered for the offences punishable u/ss 302, 364, 506 read with section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have killed the informant's son. It is further alleged that the co-accused persons Abhiranjan Kumar and Manish Kumar @ Bhopat Yadav called him from his house and took him with them to Malhipur Diyara and thereafter, the petitioner shot the informant's son dead. It is



further alleged that earlier the co-accused Narendra Yadav and his sons also threatened the informant and his family to kill.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to previous enmity. There is general and omnibus allegation against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. Similarly situated the co-accused has already been granted bail by the co-ordinate bench of this court vide order dated 26.07.2024 passed in Cr. Misc. No. 30338 of 2024. The petitioner has three criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 24.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the specific allegation of firing on the informant's son who died on the spot is against the petitioner. It is further submitted that the informant in his re-statement at para-5 and the witnesses in para-6 & 7 of the case diary have fully supported the prosecution case. As per the post-mortem report of the deceased, the cause of death is due to neurogenic shock and cardio respiratory failure as a result of head injuries caused by firearm.

6. Considering the aforesaid facts and circumstances



of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

7. Accordingly, the application stands rejected.

(Chandra Prakash Singh, J)

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