

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75735 of 2025

Arising Out of PS. Case No.-197 Year-2024 Thana- SAHPUR District- Patna

Nitish Kumar S/o Sri Prithvi Rai R/o Village - Shankarpur Dera, P.S -
Shahpur, District - Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh, Adv.
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP
Mr.Manoranjan Kumar, Adv.for Informant

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-12-2025 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with
Shahpur PS. Case No. 197 of 2024 for the offence punishable
under sections 302, 34 of the Indian Penal Code and Section 27
of the Arms Act.

3. As per the prosecution story, the informant alleged
that while his brother was at the house of Harinandan Ray, on a
motorcycle, accused persons, namely, Nitish Kumar (petitioner
herein), Sundar Ray, Santosh Ray and Shiv Ray came and
thereafter, this petitioner opened fire and two bullets pierced the
body of his brother who succumbed to the injuries. The accused
escaped on the arrival of the villagers. This led to the FIR.



4. Petitioner is assailant of the deceased. There is specific allegation against him of opening fire, causing death of informant’s brother. Petitioner has got five criminal antecedent.

5. Considering the nature of accusation and criminal antecedent, the prayer for bail of petitioner is rejected. However, since petitioner is in custody since 30.09.2024, the learned trial court is directed to expedite the trial.

(Prabhat Kumar Singh, J)

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