

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1358 of 2025

Arising Out of PS. Case No.-877 Year-2023 Thana- MASAUDHI District- Patna

Nikesh Kumar @ Shashi Kant Kumar Son of Ranjay Sharma Resident of Vill-
Motipur, P.S.- Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 14-02-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Mr. Rabindra Kumar.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201 and 120(B) of the
Indian Penal Code.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges
that his son died when he had gone to attend a marriage where
happy firing was being made by the petitioner and other named
accused persons. It is next submitted that from perusal of the
allegation as alleged in the F.I.R., it would manifest that the
informant is not an eye witness to the occurrence. It is also
submitted that similarly situated co-accused, Shubham Kumar
had approached this Court seeking anticipatory bail by filing



Criminal Miscellaneous No. 38292 of 2024 and the same was allowed by an order dated 03.10.2024. It is further submitted that Shubham Kumar was granted the privilege of anticipatory bail on the ground that he was getting married on the date when the occurrence took place and the deceased was his friend whereas with respect to this petitioner, it is alleged that he was also instrumental in firing, but then it is reiterated and submitted that informant is not an eye witness to the occurrence and the deceased and the petitioner were friend. It is also submitted that petitioner is in custody since 19.09.2024, charge sheet has been submitted and he will face the trial to prove his innocence.

4. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Masaurhi P.S. Case No. 877 of 2023.

6. One of the bailors of the petitioner shall be his father, Ranjay Sharma.



7. It is made clear that if the learned Trial Court comes to a conclusion that petitioner, after his release, is trying to delay the trial in any manner in that event, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner forthwith after recording reasons.

(Satyavrat Verma, J)

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