

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88899 of 2024

Arising Out of PS. Case No.-434 Year-2024 Thana- JAMUI District- Jamui

Nitish Kumar Son of Jitan Rawat, Resident of village-Sarari, Daulatpur, P.S and Distt.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Jamui P.S. Case No.434 of 2024 instituted under Sections 103(1), 238 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the brother of informant was studying in first year of Polytechnic College, Nalanda and was in love affair with one Khushi Kumari. It is further stated that one Shweta Kumari of Village Maniadda, brother of informant and Khushi Kumar were studying in a coaching collectively. On 11.07.2024 Shweta Kumari called the father of informant and informed that Shubham Kumar (deceased) has gone to meet with Khushi Kumari at her Village Sarari and raised suspicion that Khushi Kumari and her family



may commit something wrong with Shubham Kumar. It is further stated that upon search the dead body of brother of informant was found floating in water of Village Sarari Canal on 12.07.2024. Informant claimed that his brother has been brutally assaulted and killed and thereafter his dead body has been thrown in the water of canal by Khushi Kumar and her family members.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He further submits that petitioner is not named in the F.I.R. but later on during the course of investigation one co-accused namely Ritik Kumar has disclosed his name as co-partner of the offence and except the said confessional statement there is no material against the petitioner. Learned counsel submits that there is no specific allegation of any overt act alleged against the petitioner. He further submits that petitioner is a young boy of 22 years having no criminal antecedent and he undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event



of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No.434 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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