

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4963 of 2026**

Arising Out of PS. Case No.-128 Year-2024 Thana- AKBARNAGAR District- Bhagalpur

Nipesh Kumar @ Sittu Choudhary S/o Gyandev Choudhary Resident of  
Village - Goradih, Police Station - Goradih, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dr. Manoj Kumar, Adv

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      12-02-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. This is the second attempt on behalf of the petitioner for grant of bail in connection with Akbarnagar P.S.Case No. 128 of 2024 registered for the offence punishable under Sections 140(2),103(1) 23, 61(2), 103 (2), 238 of BNS.

3. Earlier the bail application of the petitioner has been rejected vide order dated 23.10.2024 passed in Cr. Misc. No.75381 of 2024, which reads as under:-

*Heard learned counsel for the  
petitioner and learned APP for the State.*

*2. The petitioner seeks bail in  
connection with Akbarnagar P.S.Case No.  
128 of 2024 registered for the offence  
under section 140(2),103(1),23,61 (2) of  
the BNS.*

*3. As per the prosecution case,*



*the victim was kidnapped and killed by the criminals and the petitioner is also said to be the part of the conspiracy as the call of ransom was made from the mobile phone of the petitioner.*

*4.The petitioner is in custody since 09.11.2024.*

*5. Considering the nature of allegation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.*

*6. Accordingly, this application is dismissed.”*

4. Learned counsel for the petitioner submits that 2 witnesses has been examined, who have not taken the name of the petitioner.

5. Considering the gravity of the offence and the fact that the trial has started, the petitioner does not deserve bail in view of the law laid down by the Hon’ble Supreme Court in the case of *X Vs. State of Rajasthan and Anr. Reported in 2024 SCC online SC 3539*.

6. Accordingly, the application stands dismissed.

**(Sandeep Kumar, J)**

N.K/-

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