

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.400 of 2026

Arising Out of PS. Case No.-119 Year-2025 Thana- SIGAUDI District- Patna

Nitish Kumar Son Of Dinanath Yadav Resident Of Village- Bela, Ps- Sigori,
Dist- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Pinki Devi Wife of Late Kundan Kumar Resident of village- Bahadurganj,
Ps- Sigori, Dist- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Parashuram Singh
For the Respondent/s	:	Mrs. Usha Kumari 1
For the Informant	:	Mr. Kumar prabhakar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 23-04-2026 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State, and learned counsel
appearing on behalf of the informant.

2. This appeal has been preferred against the order dated 24.11.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Civil Court, Sadar, Patna, in Special Case No. 497 of 2025 (Serial No. 398 of 2025), arising out of Sigori P.S. Case No. 119 of 2025, registered for offences punishable under Sections 103, 303(2), 351(2), and 3(5) of the BNS, and Section 3(2)(v) of the SC/ST Act, whereby the prayer for regular bail of the appellant has been rejected.

3. The prosecution case, as alleged in the First



Information Report, is that the appellant assaulted the husband of the informant, who subsequently succumbed to the injuries sustained.

4. Learned counsel for the appellant submits that the appellant has clean antecedents and has been falsely implicated in the present case. It is further contended that the allegations made in the F.I.R. are baseless and fabricated, and that the appellant has not committed the alleged offence. The appellant is in custody since 09.09.2025.

5. Per contra, learned counsel for the informant and the learned Special Public Prosecutor have vehemently opposed the prayer for bail. It is submitted that there are specific and direct allegations against the appellant in the F.I.R. It is further submitted that the post-mortem report corroborates the prosecution case and supports the allegation that the assault by the appellant resulted in the death of the informant's husband.

6. Having considered the rival submissions and upon perusal of the materials available on record, including the F.I.R., this Court finds that there are specific allegations against the appellant of having assaulted the deceased, and that the medical evidence *prima facie* supports the prosecution case. There is sufficient material on record which corroborates the prosecution



story as well as the involvement of the appellant in the commission of the crime.

7. In view of the nature and gravity of the allegations, this Court is not inclined to grant bail to the appellant.

8. Accordingly, the appeal is dismissed, and the impugned order dated 24.11.2025 passed by the learned Exclusive Special Judge, SC/ST Act, Civil Court, Sadar, Patna is hereby affirmed.

9. It is made clear that the observations made herein are prima facie in nature and confined only to the adjudication of the present appeal for bail and shall not be construed as an expression on the merits of the case.

(Sandeep Kumar, J)

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