

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14229 of 2026

Arising Out of PS. Case No.-306 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

Nitish Kumar S/O Sundar Yadav R/O Village- Makhpa, P.S- Barabar Paryatak, Distt.- Jehanabad.AT present-R/V Dhawal Bigha, P.S.-Hulasganj, Dist-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 14952 of 2026

Arising Out of PS. Case No.-306 Year-2025 Thana- MAKHDUMPUR District- Jehanabad

Gautam Kumar S/o Shravan Yadav R/o Village - Mohammadpur, P.S - Khizarsarai, District - Gaya at present R/V Dhawal Bigha, P.S.- Hulasganj, Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14229 of 2026)

For the Petitioner/s : Mr.Paras Nath, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 14952 of 2026)

For the Petitioner/s : Mr.Paras Nath, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioners and learned

APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Makhdumpur P.S. Case no. 306 of 2025 instituted for the offence under Sections 103 (1), 238, 61 (2) of the BNS.



3. The case of the prosecution is that Aarti Kumari (deceased) was having affair with one Kaju Kumar. The said Kaju Kumar had brought the deceased to his house. This information was given by the mother of the Kaju Kumar and thereafter, the girl was handed over to the family members of the deceased, namely, Chandrakant Yadav, Gautam Yadav, Dharmendra Yadav and Nitesh Yadav. Subsequently, the dead body of the deceased was found on a railway. There is allegation that these petitioners along with others had killed the deceased and gave the incident the colour of an accident.

4. Learned counsel for the petitioners has submitted that petitioners are innocent and have falsely been implicated in connection with the present case. It is further submitted that from perusal of the FIR itself, it is clear that although there is a statement in the FIR that the girl was handed over to these petitioners but there is no eye witness to the alleged occurrence.

5. It is contended that the allegation that the murder was given the colour of an accident is based purely on suspicion. The postmortem report indicates that the cause of death was a head injury due to accident. It is further submitted that the FIR states that the informant came to know that this murder had been given the colour of an accident, however, it is



not specified from whom or how he received such information. It is further submitted that names of these petitioners have been dragged in this case only on the basis of suspicion and no any overt act has been attributed to them.

6. Learned APP appearing for the State opposed the prayer of bail of the petitioner.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Makhdumpur P.S. Case no. 306 of 2025, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -I, Jehanabad, subject to the conditions as laid down under section 438(2) of the Cr.P.C/ Section 482 (2) of the BNSS.

(Ashok Kumar Pandey, J)

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