

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21987 of 2026**

Arising Out of PS. Case No.-330 Year-2024 Thana- NADI P.S. District- Patna

Sanju Das @ Sanjay Das S/o Suraj Das Resident of Village - Jethuli, P.S -  
Nadi, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Chandrasekhar Sharma

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      15-05-2026                      Heard Mr. Chandrasekhar Sharma, learned counsel  
for the petitioner and Mr. Nand Kishore Prasad, learned  
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
14.10.2024 in connection with Nadi P.S. Case No. 330 of 2024  
for the offences punishable under Sections 103(1) and 3(5) of  
BNS.

3. The case of the prosecution, in brief, is that on the  
basis of fardbayan of informant Omprakash Kumar @ Munna  
and it has been alleged by the informant that on 21.09.2025  
petitioner Nitish Kumar and informant went to place of  
occurrence and there co-accused Vikash Kumar snatched mobile  
phone and Rs. 900/- cash from informant and shot informant in  
his back due to informant sustained injury and later on he was



admitted in the hospital by the chowkidar. After investigation charge sheet has been submitted against this petitioner and co-accused Vikash Kumar and also against petitioner Puja Kumari u/s- 126(2), 115(2), 109, 303(2), 3(5) B.N.S & 27 Arms Act. It appears from the case diary para 6 that informant has supported the allegation against the petitioner Nitish Kumar and he has stated that petitioner Nitish Kumar took informant to a river side and there co-accused shot informant. Further, as per case diary para no 47 petitioner had paid money to co-accused Vikash Kumar for committing murder of informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and has falsely been implicated in the present case. It is further submitted that earlier the bail petition was rejected vide order dated 15.05.2025 passed in Cr. Misc. No. 18033 of 2025 passed by a Coordinate Bench of this Court. Thereafter, the petitioner has again moved before this Court but the same was withdrawn vide order dated 20.01.2026 passed in Cr. Misc. No. 1988 of 2026 passed by a Coordinate Bench of this Court. Learned counsel for the petitioner next submits that the petitioner has been made an accused in the present case merely on the basis of suspicion and except the aforesaid nothing has come during the investigation to suggest



the involvement of the petitioner with the present occurrence. It is next submitted that similarly situated co-accused persons, namely, Munna Das and Sanjeet Das have been granted bail by a Coordinate Bench of this Court vide order dated 09.02.2026 passed in Cr. Misc. Nos. 85244 of 2025 and 1890 of 2026 respectively and the police after investigation has submitted charge-sheet and petitioner is in custody since 14.10.2024.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner is involved in the present crime in question but fairly submits that on the basis of the report of the learned trial court dated 05.05.2026, which suggests that out of nine charge-sheet witnesses, only five witnesses have been examined and trial is pending for four charge-sheet witnesses.

6. Considering the aforesaid facts and circumstances and that petitioner has clean antecedent and report of the learned trial court as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-I, Patna City in connection with Nadi P.S. Case No. 330 of 2024, subject to the following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Gaurav Sinha/-

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