

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32633 of 2026

Arising Out of PS. Case No.-338 Year-2025 Thana- ISLAMPUR District- Nalanda

Nirdosh Kumar @ Nirdosh Yadav @ Nirdosh Prasad S/O Nagina Yadav R/O
Village- Dahaur Bigha, P.S- Islampur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Kishore Kumar, Advocate
For the Informant	:	Mr. Ashutosh Kumar Mishra, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-05-2026 Heard Mr. Chandra Kishore Kumar, learned counsel
for the petitioner, Mr. Ashutosh Kumar Mishra, learned counsel for
the Informant and Mr. Shailendra Kumar Singh, learned APP for
the State.

2. Petitioner seeks bail, who is in custody since
12.02.2026, in connection with Islampur P.S. Case No. 338 of
2025, F.I.R. dated 25.06.2025 registered for the offences
punishable under Sections 190, 191(2), 191(3), 126(2), 115(2),
109, 351(3), 352 of the B.N.S., 2023 and later on Section 103(1)
of the B.N.S. was added.

3. Allegation against the petitioner is that he along with
other co-accused persons have assaulted the father of the
informant by means of iron rod due to which he received injury
and later on died.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the F.I.R. itself that due to some petty dispute the present occurrence had taken place and there is case and counter case between the parties and it has come during investigation that the deceased has died after five days of the occurrence. Learned counsel for the petitioner further submits that as per F.I.R. three persons have assaulted to the deceased but the doctor who has conducted the postmortem examination has found only two injuries on the person of the deceased, on that basis co-accused person Nagina Yadav has been granted bail by the learned Court below itself and similarly situated co-accused person, namely, Congress Yadav @ Kangraes Kumar has been granted bail by this Court vide order dated 01.04.2026 passed in Cr. Misc. No. 9599 of 2026 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 12.02.2026.

5. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has participated in the present crime in



question and apart from that the petitioner carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the facts and circumstances of the case and the fact that similarly situated co-accused person has been granted bail by this Court, let the petitioner, above named, be released 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 Judicial Magistrate 1st Class, Hilsa, Nalanda in connection with Islampur P.S. Case No. 338 of 2025, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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



antecedents, 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)

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