

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33625 of 2026

Arising Out of PS. Case No.-122 Year-2025 Thana- CHACKMEHSI District- Samastipur

Nitish Kumar S/O Yugeshwar Ray Resident of Village - Pojhiya,P.S- Lalganj,
Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Ray

For the Opposite Party/s : Ms. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-05-2026 Heard Mr. Hemant Ray, learned counsel for the

petitioner and Ms. Sangeeta Sharma, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
08.12.2025 in connection with Chakmehsi P.S. Case No. 122 of
2025 for the offences punishable under Section 309(6) of BNS
and Sections 27 of Arms Act.

3. The case of the prosecution, in brief, is that the
fardbyan of the informant has been recorded by S.I. Annu Singh
on his (informant's) house on 04-08-2025 at around 15:45 that
on 04-08-2025 at around 11:55 A.M., two people entered the
CSP with pistols in their hands and two people were standing
outside the CSP. The person who entered, showed a pistol to the
CSP operator and after looting Rs. 1,20,000/- all four accused



persons started fleeing on two motorcycles. When the CSP operator raised an alarm, they left one motorcycle and all four fled on a single motorcycle, firing through pistols, one bullet hit the CSP operator on his thigh. Informant was treated in the Puspa Hospital by the help of villagers. On the basis of the above fardbyan/statement, the present case was instituted and the investigation was taken up.

4. Learned counsel for the petitioner submits that initially the petitioner was not named in the FIR and the name of the petitioner has transpired during the course of investigation on the basis of confessional statement of co-accused person, namely, Md. Sahid and except the aforesaid nothing has come during investigation to suggest the involvement of the petitioner with the present occurrence and petitioner is in custody since 08.12.2025.

5. The learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the cloth which was used in the present crime in question was recovered from the house of co-accused person. Apart from that the petitioner has been identified during the test identification parade held at jail and the petitioner has antecedent of six cases other than the present



case.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Chakmehsi P.S. Case No. 122 of 2025 pending in the court of learned Judicial Magistrate 1st Class, Samastipur or in the successor Court.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

U		T	
---	--	---	--

