

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44378 of 2025

Arising Out of PS. Case No.-134 Year-2024 Thana- MAHESHKHUNT District- Khagaria

Nitish Kumar @ Nitesh Kumar @ Nitish Yadav @ Nitish Kumar Yadav Son
of Bhadai Yadav Resident of village - Madarpur, P.S.- Maheshkhut, District -
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar

For the Opposite Party/s : Mr.Abhay Kumar Roy

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 20-01-2026 Heard learned counsel for the petitioner as well
as learned APP for the State.

2. In this case, the petitioner is seeking regular bail
in connection with Maheshkhut P.S. Case No. 134 of 2024 dated
25.07.2024 registered for the offences punishable u/s 126(2),
115(2), 303(2), 308(3), 308(5) and 3(5) of the B.N.S.

3. As per the prosecution case, on 24.07.2024,
when the informant was going to his maternal home and he
reached the Goshari Hanuman Temple by tempo then the
petitioner along with co-accused Suman Kumar Yadav and
Kundan Kumar along with 10 to 12 unknown persons ambushed
him with intent to kill. They dragged him into the forest,
stripped him naked, brutally assaulted him and made a naked



video by using a mobile phone. They also took Rs. 7,000/- from his pocket. The accused persons also threatened him that they would kill him if he reported the incident or failed to pay them Rs. 50,000/-.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. Two co-accused persons namely Suman Kumar Yadav and Kundan Kumar have been granted bail. Co-accused Ravi Tanti @ Ravindra Tanti, who is alleged to have committed unnatural offence with the informant, has also been granted bail by a coordinate Bench of this Court vide order dated 09.01.2025 in Cr. Misc. No. 85931 of 2024. The case of the petitioner is on better footing than that of co-accused Ravi Tanti. The petitioner is under custody for more than eight months.

5. On the other hand, the learned APP for the State has opposed the prayer for bail by submitting that it is the petitioner, who instigated co-accused Ravi Tanti to commit the offence.

6. Co-accused Ravi Tanti has been granted bail and the petitioner is under custody for more than eight months.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties



of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Maheshkhut P.S. Case No. 134 of 2024, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

8. Before accepting the bail bond of the petitioner, the learned court below shall verify his criminal antecedent and if it is found that he is involved in any other case except the cases, as mentioned in para-3 of the bail petition, his bail bond shall not be accepted.

(Nawneet Kumar Pandey, J)

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