

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70837 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- BANNUBAGICHA District- Lakhisarai

Nitish Kumar Son of Rajo Mandal Resident of village - Banshipur, P.S.- Kiul,
District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-03-2026 Heard Mr.Suraj Kumar, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.03.2025 in connection with Bannubagicha P.S. Case No. 12
of 2025, F.I.R. dated 22.02.2025 for the offences punishable
under Sections 104 (1), 103 (1), 238, 61 (2), 3 (5) of B.N.S
along with Section 25 (1-b)a, 26, 27 and 35 of the Arms Act.

3. According to prosecution case, informant's son and
his friend have been kidnapped and kept hostage by unknown
miscreants.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. Petitioner is not named in the



F.I.R, the name of the petitioner transpired in the case on the basis of confessional statement of co-accused persons namely Neeraj Kumar thereafter on the basis of confessional statement of said Neeraj Kumar, the country made pistol which was used in crime in question as well as mobile phone of the victim was recovered. Learned counsel for the petitioner submits that recovery have been made at the instance of co-accused persons and petitioner has no role in the alleged occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that co-accused has confessed his guilt and he has indicated the name of the petitioner apart from that he has also stated in the confessional statement that the petitioner was participant of the crime in question. Apart from that, on the basis of the confessional statement of co-accused persons pistol which was used in crime in question and the phone of the deceased was recovered then the prosecution cannot disbelief the testimony of the co-accused persons.

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Bannubagicha P.S. Case No. 12 of 2024 pending in the court of learned learned Chief Judicial Magistrate, Lakhisarai.



7. Prayer is refused.

(Rajesh Kumar Verma, J)

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