

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82000 of 2024

Arising Out of PS. Case No.-43 Year-2017 Thana- CHANDRADIP District- Jamui

Nitish Kumar @ Pintu Kumar Son of Mundrika Yadav @ Mundrika Prasad
R/O- Village- Manniyatri, P.S- Kauwakol, Distt.- Nawada... .. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan, Advocate

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

10 11-03-2026 Heard Mr.Rajesh Ranjan, learned counsel for the

petitioner, learned counsel for the informant and

Mr.Dr.Mrityunjaya Kr.Gautam, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
24.03.2023 in connection with S.Tr.No.339 of 2023 arising out
of Chandradip P.S. Case No. 43 of 2017, F.I.R. dated 19.05.2017
registered for the offence punishable under Sections 302 read
with 34 of the Indian Penal Code and under Section 27 of Arms
Act, 1959.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 08.11.2023 passed in Cr. Misc. No.
60924 of 2023.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. The allegation
as alleged in the FIR is false and fabricated and the petitioner
has not committed any offence as alleged in the FIR.



5. Learned counsel for the informant and learned APP for the State, on the other hand, on the basis of the material available on the record and the case diary, have vehemently opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation of firing is attributed against the petitioner and the same is supported by the medical evidence (postmortem report) apart from the aforesaid, it appears that the FIR has been instituted in the year 2017 and since 2017 the petitioner was absconding and in the year 2023 he has surrendered on 24.03.2023 and due to his absence the trial has not been concluded as yet and when the petitioner surrendered then the charge has been framed on 19.04.2023 and as per report of the learned Trial Court, the trial has begun and altogether four witnesses have already been examined.

6. Considering the nature of allegation against the petitioner in the FIR which is supported by the medical evidence as well report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with S.Tr.No.339 of 2023 arising out of Chandradip P.S. Case No. 43 of 2017 pending in the court of learned Additional Sessions Judge-III, Jamui.



7. Prayer is refused.

8. However, the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

Nitesh/-

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

