

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75834 of 2025

Arising Out of PS. Case No.-155 Year-2024 Thana- SHAHKUND District- Bhagalpur

Nitesh Kumar @ Nitish Kumar @ Durlabh Son of Late Saligram Mandal R/o
Village-Bharko, P.S-Amarpur, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 21-01-2026 Heard Mr.Manoj Kumar Jha, learned counsel for
the petitioner and Mr.Bishweshwar Ram, learned Additional
Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
24.08.2024 in connection with S.Tr.No.329/2025 corresponding
to Shahkund P.S. Case No. 155 of 2024, F.I.R. dated 22.08.2024
registered for the offence punishable under Sections 103(1),3(5)
of BNS, 2023.

3. Allegation against the petitioner is that he
committed murder to the son of the informant.

4. Learned counsel for the petitioner submits that the
allegation as alleged in the FIR is false and fabricated and the
petitioner has not committed any offence as alleged in the FIR.
Name of the petitioner has been transpired during investigation



on the basis of the self-confessional statement of the petitioner and except the aforesaid, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. The informant is not the eye witness of the alleged occurrence and merely on the basis of suspicion, name of the petitioner has been implicated in the present case. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 24.08.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has confessed his guilt in the present occurrence which is recorded in paragraph-26 of the case diary, apart from the aforesaid, petitioner carries three more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts as well as period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-XIX, Bhagalpur in connection with S.Tr.No.329/2025 corresponding to Shahkund P.S. Case No. 155



of 2024, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(III) 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 antecedent, 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)

Nitesh/-

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