

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82959 of 2025

Arising Out of PS. Case No.-90 Year-2025 Thana- PURNEA SADAR District- Purnia

Nitish Kumar S/O Dinesh Choudhary Resident of village- Lahari Uday Nagar,
P.S.- Srinagar District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 31-01-2026 Heard Mr.Amal Kumar Sinha, learned counsel for
the petitioner and Mr.Raj Kishor Singh, learned Additional
Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
16.02.2025 in connection with Sessions Trial No. 576 of 2025
arising out of Sadar P.S. Case No. 90 of 2025, F.I.R. dated
15.02.2025 registered for the offence punishable under Sections
103, 238 of BNS,2023 but the cognizance has been taken under
Sections 103(1) and 238(a) of BNS, 2023.

3. As per FIR, the informant alleged that her husband
has been killed by use of rod and bricks and she has firm belief
that the petitioner has killed her husband and hidden the dead
body in bush.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. It appears from the FIR that the informant has raised suspicion against the petitioner in the FIR and except the suspicion no other 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. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 16.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named accused in the FIR but fairly submits that except the suspicion no other material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence.

6. Considering the aforesaid facts, petitioner has clean antecedent and nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence, 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 Additional Sessions Judge-IV, Purnea in connection with Sessions Trial No. 576 of 2025 arising out of Sadar P.S.



Case No. 90 of 2025, 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)

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