

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4685 of 2025

Arising Out of PS. Case No.-264 Year-2024 Thana- BELDOUR District- Khagaria

Nitish Kumar @ Nepali S/o Rajendra Rajak, R/O Vill.- Pachaut, P.S.-
Beldaur, Dist.- Khagaria.

... .. Appellant/s

Versus

1. The State of Bihar
2. Pramila Devi W/o Late Parmeshwar Sada R/O Vill.- Pachaut, Ward no. -
07, P.S.- Beldaur, Dist.- Khagaria.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pankaj Kumar, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 18-06-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 23.09.2025 passed by learned Court of Additional Sessions Judge 1st cum- Special Judge, SC/ST, Khagaria whereby the prayer for bail of the appellant in connection with Beldaur P.S. Case no. 264 of 2024 under Sections 103(1) and 3(5) of BNS and Sections 3(2) (v) of SC/ST (POA) Act was rejected.

3. The case of the respondent is that the daughter of the respondent was found hanging in mango groove. It is further alleged that Rahul, Amresh and Chunnu with the help of their



associates have killed and hanged the daughter of the respondent. It is also alleged that Rahul Kumar was having relationship outside marriage with the daughter of the respondent and he was pressurizing the deceased for solemnization of marriage which she denied and due to that denial, she has been killed by Rahul and his associates.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. From perusal of the FIR, it is clear that the name of the appellant does not find place in the FIR. The name of this appellant has surfaced during course of investigation in the confessional statement of co-accused Rahul. It has been submitted that save and except the confessional statement, there is nothing against him. Main thrust of allegation is against Rahul who was having relationship with the deceased outside marriage. There is no allegation against the appellant of humiliating the respondent or deceased with caste name. Appellant is having no criminal antecedent. Moreover, he is languishing in judicial custody since 01.04.2025.

5. The appeal for bail is opposed by learned Spl. P.P. for the State.

6. Having heard learned counsel for the parties and



taking into consideration that there is no any specific overt act against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 23.09.2025 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Beldaur P.S. Case No. 264 of 2024 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st cum-Special Judge (SC/ST), Khagaria.

(Ashok Kumar Pandey, J)

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