

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91303 of 2025

Arising Out of PS. Case No.-37 Year-2025 Thana- Garahara District- Begusarai

Chintu Mahto S/o Bannu Mahto @ Babloo Mahto R/o Village- Hajipur,
Pokhar, Ward No.12, P.S- Garhara, Dist- Begusarai (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 976 of 2026

Arising Out of PS. Case No.-37 Year-2025 Thana- Garahara District- Begusarai

Nitish Kumar @ Nikki S/O Anil Sah R/O Village- Masnadpur, Ward no. 15,
P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 91303 of 2025)

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

For the Informant : Mr. Kuldeep Kumar, Advocate

(In CRIMINAL MISCELLANEOUS No. 976 of 2026)

For the Petitioner/s : Mr. Dinesh Maharaj

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

For the Informant : Mr. Kuldeep Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-04-2026 Both the aforementioned cases are being disposed of
by a common order.

2. Heard learned counsel for the petitioners, informant
and learned A.P.P. for the State.

3. Petitioners seek regular bail in connection with
Garhara P. S. Case No. 37 of 2025 registered for the offences



punishable under Sections 103(1), 61(2), 3(5) of the Bharatiya Nyaya Sanhita.

4. As per F.I.R., informant suspects that all the named accused persons along with 3-4 unknown persons committed murder of the grandson of informant by slitting his throat as on 08.05.2025, petitioner Chintu Mahto threatened the deceased with dire consequences, due to previous enmity.

5. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. Informant is not an eye witness to the occurrence and petitioners have been made accused in this case only on suspicion. Petitioner, namely, Chintu Mahto is in custody since 03.06.2025 and petitioner, namely Nitish Kumar @ Nikki is in custody since 16.06.2025.

6. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application and submitted that during course of investigation, in statement of witness Rohit Kumar, recorded under Section 183 BNSS, it is stated that he had seen these petitioners along with other accused persons at the place of occurrence with arms. It is further submitted that the weapon which was used in commission of the offence was recovered on the disclosure



made by petitioner, namely, Nitish Kumar @ Nikki.

7. Considering the nature of accusation and gravity of the offence and other facts and circumstances of the case, prayer for regular bail of the petitioners is rejected.

8. However, since petitioners are in custody since 03.06.2025 and 16.06.2025, Trial Court is directed to expedite and conclude the trial, preferably, within a period of one year from the date of receipt/production of copy of this order.

(Prabhat Kumar Singh, J)

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