

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88925 of 2025

Arising Out of PS. Case No.-265 Year-2023 Thana- LAKHISARAI District- Lakhisarai

Nitish Kumar S/O Hareram Yadav R/O Village - Belauri, P.S- Lakhisari,
Distt.- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

3. The case of the prosecution, in short, is that the petitioner along with others allegedly took away the son of the informant. At about 10:00 P.M. when the deceased was called by his mother, he stated that he would return within 10 minutes. After 11:00 P.M. when the son of the informant did not return, all the family members went to sleep. It is alleged that at about 1:00 P.M., the mother of the deceased woke up and started searching for him, whereupon she found the deceased sitting on the ground. When she enquired about what had happened, the



deceased did not disclose anything and after some time he fell down and died

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that though there is an allegation that the petitioner along with others had gone with the deceased but the deceased ultimately died at his own home. It is further submitted that similarly situated co-accused persons have been granted bail vide order dated 20.02.2024 passed in Cr. Misc. No. 62146 of 2023 and its analogous case as also order dated 29.02.2024 passed in Cr. Misc. No. 76386 of 2023. Moreover, the petitioner is languishing in judicial custody since 25.10.2025 having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail, submitting that, a ligature mark was found on the neck of the deceased. However, it is submitted that there is no direct allegation against the present petitioner.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on



bail in connection with Lakhisarai P.S. Case No. 265 of 2023 on
furnishing bail bond of Rs.10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of learned
Chief Judicial Magistrate, Lakhisarai.

(Ashok Kumar Pandey, J)

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