

IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No.2713 of 2026

Nitish Rai @ Nitish Kumar Rai @ Bhumihar, aged about 24 years,
son of Raghunath Rai, resident of Road No: 19, Adityapur-2, P.O. &
P.S. - Adityapur, District- Seraikella- Kharsawan;

.... Petitioner

Versus

The State of Jharkhand Opposite Party

CORAM: HON'BLE MR. JUSTICE ANIL KUMAR CHOUDHARY

For the Petitioner : Mr. Ashim Kr. Sahani, Advocate
Mr. Sanket Kumar, Advocate
Mr. Pankaj Verma, Advocate
For the State : Mr. Rakesh Ranjan, Addl.P.P.

Order No:-03 Dated:-28-04-2026

Heard the parties.

The petitioner has been made accused in connection with
Adityapur P.S. Case No. 170 of 2023 corresponding to Sessions Trial
No. 94 of 2025 registered for the offences punishable under Sections
341, 342, 323, 324, 307, 427 and 34 of the Indian Penal Code.

This is the second journey of the petitioner with the prayer for
regular bail. Earlier, the prayer for regular bail of the petitioner was
rejected by a Co-ordinate Bench of this Court vide order dated
25.09.2025 passed in B.A. No. 5706 of 2025.

Learned counsel for the petitioner submits that the allegation
against the petitioner is that the petitioner committed murder of
Binay Kumar @ Roti by stabbing him. It is next submitted that the
allegation against the petitioner is false. It is then submitted that the
fresh ground is that in the meanwhile three witnesses have been
examined by the trial court, out of which P.W.1 - victim though in his
examination in chief, has supported the case of the prosecution but in
para-12 of his cross-examination, he has stated that he was in a
senseless condition when he was taken from his house and he
regained sense only in M.G.M. Hospital and he does not know how

he sustained injury and in para-20 of his cross-examination, he has stated that he has not seen the accused persons properly and in para-22, he has stated that since the accused persons did not pay rent, hence, the case has been instituted against him. It is also submitted that the petitioner has been in custody since 25.02.2024 as is evident from para-1 of the instant bail application. It is further submitted that the petitioner has no criminal antecedent as mentioned in para-19 of the instant bail application. It is lastly submitted that the petitioner undertakes to co-operate with the trial of the case and also undertakes not to annoy or disturb the witnesses of the case in any manner during the trial of the case. Hence, it is submitted that the petitioner be released on bail.

Learned counsel appearing for the State opposes the prayer for bail of the petitioner.

Considering the facts of this case, the above-named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Seraikella - Kharsawan in connection with Adityapur P.S. Case No. 170 of 2023 corresponding to Sessions Trial No. 94 of 2025 **with the condition that he will co-operate with the trial of the case and furnish his mobile number and photocopy of the Aadhar Card in the court below with an undertaking that he will not change his mobile number during the trial of the case and he will not annoy or disturb the witnesses of the case in any manner during the trial of the case.**

(Anil Kumar Choudhary, J.)