



ITEM NO.3

COURT NO.7

SECTION II-A

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal  
(CrI.) No.1865/2026

[Arising out of impugned final judgment and order dated 11-11-2025 in CRM No. 51362/2025 passed by the High Court of Judicature at Patna]

NITESH KUMAR SINGH @ NITISH KUMAR  
& ANR.

PETITIONER(S)

VERSUS

THE STATE OF BIHAR

RESPONDENT(S)

Date : 25-02-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :Mr. Ravi Sehgal, AOR  
Ms. Roopali Lakhota, Adv.  
Mr. Madhumay M., Adv.  
Mr. Adithya S Nair, Adv.

Mr. Lekden Thondup Basi, Adv.

For Respondent(s) :Mr. Azmat Hayat Amanullah, AOR  
Ms. Vanshita Gupta, Adv.

UPON hearing the counsel the Court made  
the following

**O R D E R**

1. The petitioners have been denied regular bail by the High Court in connection with First Information Report bearing no. 22 of 2025 registered with Amnaur Police Station, District Saran, State of Bihar, for the offence punishable under Sections 331(6), 103(1) and 61(2) of the Bharatiya Nyaya Sanhita, 2023 (for short, "the BNS, 2023"), respectively.

2. The first information report came to be lodged by the father of the deceased on 01.02.2025 at the police station referred to above. Although the two

petitioners have been named as accused persons in the FIR, yet at the end of the investigation, the investigating agency found that both these petitioners were in no way involved in the alleged crime. In such circumstances, a closure report came to be filed before the Court of the learned Magistrate.

3. However, the learned Magistrate declined to accept the closure report and proceeded to take cognizance of the alleged offence against the two petitioners and other co-accused.

4. We heard Mr. Ravi Sehgal, the learned counsel appearing for the petitioners and Mr. Azmat Hayat Amanullah, the learned counsel appearing for the State.

5. We are informed that the Trial Court has yet to frame the charge.

6. Having regard to the nature of the evidence on

record, we are persuaded to exercise our discretion in favour of the petitioners.

7. We need not observe anything further on merits at this stage, as the trial is yet to commence.

8. In view of the aforesaid, the petitioners are ordered to be released on bail subject to terms and conditions that the Trial Court may deem fit to impose.

9. The Special Leave Petition accordingly stands disposed of.

10. Pending application(s), if any, stands disposed of.

(CHANDRESH)  
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)  
COURT MASTER (NSH)