

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32865 of 2025

Arising Out of PS. Case No.-430 Year-2024 Thana- TEGHRHA District- Begusarai

Nitish Kumar @ Nitesh Kumar @ Deepak Kumar S/o Sanjay Singh R/o
Village- Madhurapur, South Tola, P.S.- Teghra, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Teghra
P.S. Case No. 430/2024 registered for the offences under
Section 109 of B.N.S. and Section 27 of Arms Act.

3. As per the prosecution case, the informant has
alleged that the co-accused Gulshan Kumar called him on
mobile to take money. Subsequently, it is stated that the brother
of the said Gulshan Kumar namely Nitish Kumar (petitioner)
pushed the informant to the floor and ordered Gulshan Kumar to
fire at him. Following this direction, the said co-accused
Gulshan Kumar fired at the informant, hitting him on the leg.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case and no overt act as alleged has been committed by the petitioner. Even if the FIR is taken into account, the allegation upon the petitioner is of giving orders to the co-accused Gulshan Kumar to fire upon the informant. It is lastly submitted that the petitioner has clean antecedent and is in custody since 11.03.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner has been alleged to have given orders to the co-accused Gulshan Kumar to fire upon the injured.

6. Considering the aforesaid facts and circumstances of the case and taking into account that there is no specific allegation of overt act alleged against the petitioner and the petitioner carries clean antecedent, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 430/2024 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present



in Court on each date of the trial.

c. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to the cancelled by the court concerned.

d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the aforementioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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