

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38158 of 2025

Arising Out of PS. Case No.-570 Year-2024 Thana- GHOSI District- Jehanabad

NITISH KUMAR @ NAGWA @ SHUKLA JEE @ NAGMA Son of Virendra
Sharma Resident of Village - Kabalpur, Police Station - Ghosi Okari, District
- Jahanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 20-08-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Ghoshi
P.S. Case No. 570 of 2024, instituted for the offences punishable
under Sections 308(3), 308(4), 352, 351(2), 3(5) of the
Bharatiya Nyaya Sanhita, 2023, read with Sections 25(9) and 27
of the Arms Act.

3. The prosecution case, in short, is that the petitioner
along with other co-accused persons threatened shopkeepers in
the market and demanded *rangdari* from them, fired a gun shot
and forced them to close the shops.

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



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner neither demanded ransom from any of the shopkeepers nor asked them to close their shops. No any arms have been recovered from the possession of the petitioner. It is next submitted that in the CCTV footage, the petitioner was only seen in the market and not with any arms but the informant in connivance with the local shopkeepers lodged the instant case. It is further submitted that neither any firing has been made nor any injury has been caused to anyone in the market. The petitioner is in custody since 26.03.2025 and has got six criminal antecedents in which he is on bail in four cases.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like



amount each to the satisfaction of Court below/concerned Court in connection with Ghoshi P.S. Case No. 570 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

