

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60167 of 2025

Arising Out of PS. Case No.-54 Year-2025 Thana- BASANHI District- Saharsa

Nitish Kumar S/o Rishi Yadav R/o Village- Dhuriaya, Kalashan, P.S.- Chausa,
District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Surendra Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-09-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Basnahi P.S. Case No. 54/2025 dated 03.04.2025 registered for the offences punishable u/ss 132, 109(1), 121(1), 121(2), 315 of the BNS and section 25(1-B) (a), 26, 27, 35 of the Arms Act.

3. As per the prosecution case, when the police officials were on inspection, in the meantime, one miscreant ridden on the motorcycle started fleeing away and afterall he succeeded to flee away, in the meantime, three miscreants ridden on another motorcycle were signalled by police officials to stop then and the co-accused Babaji @ Rishidev fired two



rounds due to that a bullet hit the police official and the other bullet hit the informant's brother-in-law, Raja Kumar. On search, police officials recovered a motorcycle, bags and two semi desi Katta and other parts of arms.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The specific allegation of firing is against the co-accused Babaji. The petitioner has three criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 04.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Basnahi P.S. Case No. 54/2025, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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