

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82000 of 2025**

Arising Out of PS. Case No.-653 Year-2025 Thana- RAMKRISHNANAGAR District- Patna

Nitish Kumar @ Nttish Kumar S/o Wakeel Prasad @ Raj Kishor Yadav  
Resident Of Mohalla - Madhuban Colony, PS- Ram Krishna Nagar, Distt.-  
Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Nagendra Kumar Singh, Adv

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      24-12-2025                      1.    Heard learned counsel for the petitioner and

learned A.P.P. for the State, Sri Chandra Bhushan Prasad.

2.    The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 25(1-B)a, 26, 27 and 35 of Arms Act and Section 37 of Bihar Prohibition and Excise Act.

3.    The supplementary affidavit is taken on record.

4.    In compliance of the order dated 23-12-2025, the SDPO-02, Sadar Patna; S.H.O, Ramakrishna Nagar PS and the Investigating Officer of the case are present in the court.

5.    The Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is a registered clerk of learned advocate, Sri Amarnath Yadav. It is next



submitted that it was petitioner who had dialed 112 informing about the occurrence which took place near his house, thereafter police came and the instant FIR was instituted in which several persons were arrested including Munna, who is own brother of the petitioner in a drunken condition. It is further submitted that it was Munna who disclosed the name of the petitioner that he was also present at the place of occurrence when Munna along with others were drinking in a semi-constructed house and firing took place.

6. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case at the behest of Munna who is his own brother but is not on a good terms. It is next submitted that when the occurrence of firing took place, it was petitioner who had dialed 112 informing about the occurrence based on which the police came to the place of occurrence. It is further submitted that when petitioner came to be implicated, his wife filed an application before the SDPO-02, Sadar Patna bringing to his notice that it was her husband, i.e., petitioner, who had dialed 112 informing about the occurrence, further in her representation which is annexed as Annexure-2 to the anticipatory bail application, it was specifically stated that her husband had called from his own mobile number at a



particular time. It is submitted that had the SDPO inquired into the matter based on the representation of the wife of the petitioner (Annexure-2), perhaps petitioner would not have been implicated in the case or the police would not have found his involvement in the occurrence. It is reiterated and submitted that had the petitioner been involved in the occurrence, in that event, he would never have called 112 informing about the occurrence which took place near his house in which his brother was also involved. It is further submitted that petitioner is a registered clerk of a learned advocate and he is aware of the consequences which would entail in the event if he is involved in such an occurrence. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

7. Learned APP opposes the anticipatory bail application but then based on instruction of the officers who are present in the court, submits that apart from confession, no other material has come against the petitioner.

8. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Krishna Nagar P.S. Case No. 653 of 2025, subject to the conditions as laid down under Section 482 (2) of the BNSS.

9. The personal appearance of the SDPO-02, Sadar Patna; S.H.O, Ramakrishna Nagar PS and the Investigating Officer of the case is dispensed with.

(Satyavrat Verma, J)

Sumit/-

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