

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82404 of 2025

Arising Out of PS. Case No.-815 Year-2025 Thana- NAWADA District- Nawada

Nikhil Kumar @ Nikhil Kumar Shargil S/o Surendra Yadav @ Surendra Kumar R/o Village- Magar Bigha, PS- Town Nawada, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Nawada Town P.S. Case No. 815 of 2025 registered for the alleged offences under Sections 329(4), 115(2), 126(2), 109, 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

03. As per prosecution case, the petitioner fired upon the informant but the shot missed him. The co-accused hit the son of the informant with iron rod, causing injury on his shoulder. Other co-accused persons also assaulted the informant and his son. The occurrence took place in the background of land dispute.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Though there is allegation of firing against the petitioner, but the shot did not hit anybody. It is apparent from the FIR that the dispute has been ongoing between the parties over a piece of land. Other allegation against the petitioner and other co-accused persons is general and omnibus. From the spot, police did not find any sign of firing. There is no allegation of repeated firing or making an attempt on the life of any person. The petitioner is having antecedent of three case and is on bail in all such cases. The petitioner is in custody since 27.08.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation and further considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada/court concerned in connection with Nawada Town P.S. Case No. 815 of 2025,



subject to the conditions mentioned in Section 480(3) of BNSS
and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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