

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4572 of 2026

Arising Out of PS. Case No.-86 Year-2025 Thana- TANDWA District- Aurangabad

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Nishant Kumar @ Nidhi Kumar S/O Anil Kumar Paswan Resident of Village-
Jhalubari, P.S- Tandwa, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 5298 of 2026

Arising Out of PS. Case No.-86 Year-2025 Thana- TANDWA District- Aurangabad

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Mithun Kumar Son of Upendra Singh R/o Village - Duari, P.S. - Tandwa,
Dist. - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 4572 of 2026)

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate

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

(In CRIMINAL MISCELLANEOUS No. 5298 of 2026)

For the Petitioner/s : Mrs.Mukul Kumari, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 28-01-2026 Both the cases have been taken up together for

hearing as they arise out of the same P.S. case and are being

disposed of by this common order.

2. Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

3. The petitioners seek regular bail in Tandwa P.S.



Case No. 86 of 2025 dated 07-07-2025 registered under Section 191(2), 126(2), 115(2), 75 and 109(1) of the Bharatiya Nyaya Sanhita, 2023.

4. The prosecution case, in short, is that on 06.07.2025 at about 4:00 PM, while the son of the informant was sitting near the village temple, the six FIR-named accused persons, including the petitioner, along with five unknown persons, arrived in a Scorpio vehicle and assaulted him. On receiving information, the informant and his wife reached at the spot, where they were also assaulted with wrong intention, causing head injury to the informant. After intervention by villagers, the accused persons fled away. The informant was admitted to Referral Hospital, Nabinagar for treatment.

5. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. It is further submitted that there is no specific allegation against the petitioners and that the allegations are general and omnibus in nature levelled collectively against the petitioners and other accused persons for allegedly assaulting the informant and his wife. Learned counsel further submits that only one person, namely Manish Singh (informant) sustained injuries in the alleged occurrence, who suffered three injuries,



and the doctor has opined the nature of the injuries to be simple in nature. It is further submitted that several co-accused persons, namely Sujit Singh @ Suchit Kumar, Bhanu Kumar @ Ayush Kumar Singh and Niranjana Kumar have already been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 10.12.2025 passed in Cr. Misc. No. 81796 of 2025. Lastly, it is submitted that the petitioner in Cr. Misc. No. 4572 of 2026 has been in judicial custody since 17.11.2025 and has two criminal cases pending against him whereas, the petitioner in Cr. Misc. No. 5298 of 2026 has been in judicial custody since 15.10.2025 and has one criminal case pending against him.

6. Learned Additional Public Prosecutor for the State has opposed the prayer.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners of both the cases be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M./ Judicial Magistrate 1st Class, Aurangabad, in connection with Tandwa P.S. Case No. 86 of 2025, G.R. case no. 2085 of 2025 subject to the following conditions (i) that the petitioners shall cooperate in the trial and shall be properly



represented on each and every date fixed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be their own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailors shall also state on affidavit that they will inform the court concerned if the petitioners are made accused in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse and, (iv) that if the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

8. The applications stand allowed.

(Khatim Reza, J)

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