

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4338 of 2026

Arising Out of PS. Case No.-554 Year-2025 Thana- DHANARUA District- Patna

Nitish Kumar S/o Manoj Malakar R/o Village- Pabhira, P.S- Dhanarua, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 02-02-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Dhanarua P.S. Case No. 554 of 2025 instituted for the offences under Sections 126(2), 115(2), 109(1), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that on 09.10.2025 at about 7:30 p.m., the accused persons assaulted the informant with lathi and iron rod, causing injuries, and also assaulted Ranjit Malakar and Rani Devi when they intervened.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and



omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The only specific allegation against the petitioner is that he along with one Akash Kumar assaulted on the head of one Ranjeet Malakar with iron rod who sustained grievous injury. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.09.2025 and has no criminal antecedent.

5. Learned A.P.P. 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 as also 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 Dhanarua P.S. Case No. 554 of 2025, 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.

(III) If the petitioner tampers with the evidence or the witnesses or threaten the informant or his family members, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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