

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5854 of 2026

Arising Out of PS. Case No.-335 Year-2023 Thana- MINAPUR District- Muzaffarpur

Nitish Kumar @ Nitish Prasad, aged about-27 years, Son of Jitendra Prasad
R/o Village - Mahadiya, P.S. - Minapur, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection with
Minapur P.S. Case No. 335 of 2023 instituted for the offences
punishable under Sections 147, 148, 149, 307, 341, 323, 504,
506, 379 of the IPC.

3. As per the allegation in the FIR, on 04.08.2023,
petitioner along with other co-accused persons armed with
sword, *Lathi*, *danda* and *farsa* started abusing and assaulting
the informant. It is further alleged that when informant's father
came to rescue him then the accused persons hit him
(informant's father) also upon which he sustained head injury.
One of the co-accused person also snatched a gold *Hanumaani*
from the informant.



4. Learned counsel for the petitioner submits that petitioner is innocent has committed no offence and has falsely been implicated in this case. He submits that there is no specific allegation against this petitioner rather specific allegation of assault is against other co-accused persons. He next submits that petitioner is only alleged to be member of the mob. He next submits that there is admitted land dispute between the parties. He further submits that petitioner has got clean antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

6. From perusal of the First Information Report and the impugned order dated 01.11.2025, it appears that there is no specific allegation of assault against the present petitioner and also the fact that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. So, considering all facts and circumstances of the case and submissions made by learned counsel for the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the Trial Court within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction learned Judicial Magistrate-1st Class, Muzaffarpur
in connection with Minapur P.S. Case No.335 of 2023 subject to
the conditions as laid down under Section 438(2) of the Cr.PC.

(Ramesh Chand Malviya, J)

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