

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5657 of 2026

Arising Out of PS. Case No.-407 Year-2023 Thana- AMAS District- Gaya

Nitish Kumar S/O Ramjanam Yadav Resident of Village- Phulwariya, P.S.-
Dev, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Amas P.S. Case No. 407 of 2023 registered for the offence
punishable under Sections 385 and 387 of the Indian Penal Code.

3. The case of the prosecution, in short, is that the
informant was conducting the construction work of the road in
Shivtahal Bigha. On 06.12.2023 at 09:00 PM, 10-15 armed
persons arrived and handed over a leaflet and told them to stop the
work, and they also demanded a levy; without that, they will not
permit any work to proceed, and failing which, dire consequences
have to be faced.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. He has been falsely implicated in this case. Learned counsel for the petitioner has submitted that the FIR was lodged against unknown miscreants. Learned counsel for the petitioner has further submitted that the petitioner and others were apprehended by police in Gurua P.S. Case No. 192 of 2025. It is further submitted that Rahul has given his confessional statement and on the basis of his statement, name of this petitioner has surfaced. Save and except the confessional statement of Rahul, there is nothing against the petitioner. Learned counsel for the petitioner has lastly submitted that there is only demand of levy but no amount is disclosed and no penny has been handed over. No TIP has been conducted. Learned counsel for the petitioner has further submitted that the petitioner is languishing in judicial custody since 18.07.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of four cases.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial



Magistrate 1st Class, Sherghati, Gaya Ji in connection with Amas
P.S. Case No. 407 of 2023.

(Ashok Kumar Pandey, J)

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