

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5926 of 2026

Arising Out of PS. Case No.-215 Year-2024 Thana- GURARU District- Gaya

Nitish Kumar, S/o Kamlesh Kumar Singh @ Kamlesh Singh ,R/o vill -
Pathra, P.s.- Guraru, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 25-02-2026 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Guraru P.S. Case No. 215 of 2024, registered for the offence(s)
punishable under Section(s)126(2), 115(2), 109, 352, 351(2) and
3(5) of the BNS and Section 27 of the Arms Act.

3. Mr. Aryan Singh, learned counsel for the petitioner
submits that this is a second attempt of the petitioner to get the
relief of bail and the fresh grounds taken by the petitioner to
renew his prayer are petitioner's long custody period, which has
been more than one year as the petitioner has been languishing
in jail since 18.01.2025 and secondly no commencement of the
trial of the petitioner till date.

4. On the other hand, Mr. Bhanu Pratap Singh, learned



counsel appearing for the State submits that the petitioner's prayer has already been rejected on merits and there is serious allegation against the petitioner and he was given liberty to renew his prayer after examination of informant before the trial court though some delay has occurred in committing the case to the Court of Sessions but the same may be attributable to certain procedural reasons.

5. Heard both the sides and perused the relevant materials on record. The petitioner's earlier prayer has already been rejected on merits. Though, the petitioner has been languishing in jail since 18.01.2025 and there has been some delay in the committing the case to the court of Sessions for trial, considering the seriousness of the allegation as mentioned in the latter part of the FIR, this court is not persuaded to take lenient approach towards the petitioner's prayer.

6. However, the trial court is directed to proceed with the framing of charges against the petitioner within one month from the date of receipt of this order's copy as according to the petitioner's counsel, the petitioner is not going to file a discharge application and thereafter the prosecution will ensure the production of the informant for examination as a prosecution witness within one month from the date of framing of charge. If



the prosecution fails to produce the informant as a prosecution witness within one month after framing of charge then the petitioner may renew his bail prayer.

7. Let the order's copy be sent to the concerned Superintendent of Police who will ensure the production of the informant as a prosecution witness on the date fixed by the trial court.

(Shailendra Singh, J)

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