

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12172 of 2026

Arising Out of PS. Case No.-16 Year-2023 Thana- KHUSRUPUR District- Patna

Nitesh Kumar @ Nitish Kumar Son of Rabindra Singh Resident of Village -
Malpur, P.S. - Khusrupur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radhe Shyam

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case,
registered for the offences punishable under Section 302/34 of
the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against petitioner is that on
07.01.2023 at about 9 PM, he along with other FIR named co-
accused persons made indiscriminate firing and in the said
occurrence, son of the informant was shot dead.

4. Learned counsel for the petitioner submits that
specific accusation of causing death son of informant by firing
gun shot is against co-accused Dhananjay Kumar. This
petitioner is only alleged to be member of the mob. There is
absolutely no allegation of overt act against this petitioner.
Similarly situated co-accused has been granted anticipatory bail



by a coordinate Bench, vide order dated 08.08.2025 passed in Cr.Misc. No. 54295 of 2025.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, in the event of arrest/surrender before the Trial Court within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Patna City (Patna) in connection with Khusrupur P.S. Case No. 16 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

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