

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11821 of 2026

Arising Out of PS. Case No.-317 Year-2020 Thana- GHORASAHAN District- East
Champaran

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Nitish Kumar Singh @ Nitish Kumar, S/o Rampravesh Singh R/o Village-
Nanaura, P.S-Ghorasahan, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Ghorasahan P.S. Case No. 317 of 2020 registered for the
offences under Sections 341, 323, 354, 379, 504, 34 of the
Indian Penal Code.

3. The allegation against the petitioner is that he,
along with other named accused persons, came variously armed
with iron rod and other weapons and it is alleged that co-
accused Rampravesh Singh assaulted with bamboo on the head
of the informant's uncle, Jay Prakash. It is further alleged that
the petitioner had started firing, however, the informant
managed to escape and it is also alleged that the petitioner tried



to outrage the modesty of a member of the informant's family.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in a case which arises out of a land dispute between the parties. It has further been submitted that the injuries sustained by the injured persons were found to be simple in nature and as far as the allegations of firing is concerned, no firearm injury has been sustained by anybody and the same was frivolous and alleged only to implicate the petitioner falsely. It has also been submitted that the petitioner happens to be a student of NIT, Karnataka, at the relevant time and in fact he was also granted benefit under Section 41(1) of the Cr.P.C., while the police had submitted charge-sheet. It has also been submitted that the delay in approaching the Court was on account of the fact that initially the petitioner was on police bail and subsequently the learned Trial court took cognizance under Section 341, 323, 324, 354, 379, 504, 34 of the IPC on 09.09.2025. It has also been submitted that for the same occurrence there was a case and counter case lodged on behalf of the mother of the petitioner. It has lastly been submitted that the petitioner carries clean antecedent.

5. Learned APP for the State has opposed the prayer



for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Ghorasahan P.S. Case No. 317 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is



found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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