

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12555 of 2026

Arising Out of PS. Case No.-433 Year-2025 Thana- HARSIDHI District- East Champaran

Nitish Kumar @ Nitesh Kumar S/O Akhileshwar Prasad R/O Village-
Sewrahan, P.S- Harsiddhi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
		Mr. Harsh Shashwat, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-03-2026 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 115(2), 117(2), 126(2), 74, 303(2), 110, 351, 352 and 3(5) of the BNS, 2023 and later Section 109 of BNS was added.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that accused persons including the petitioner came on 20.06.2025 at 08:00 AM, further on orders of Akhileshwar, accused Sunaina and Rina dashed her on the ground and assaulted on chest and stomach, thereafter, Raja assaulted her



husband by axe causing injury on head while petitioner assaulted Dipendra by rod causing injury on head and Rinki snatched her gold chain.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, it is next submitted that petitioner and the informant are *agnates* and are having dispute relating to property. It is next submitted that even presuming what has been alleged is true without admitting then the injury suffered by the injured has been opined to be simple in nature (Annexure-2), and the blow is not alleged to have been repeated. It is further submitted that from side of the petitioner Harsidhi P.S. Case No. 437 of 2025 has been instituted against the informant and their side. It is also submitted that the date of occurrence is 20.06.2025 and the FIR came to be instituted on 28.06.2025 i.e. after a delay of eight days without any plausible explanation which also casts an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State as well as the learned counsel appearing on behalf of the informant opposes the anticipatory bail application of the petitioner, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the FIR was instituted



after a delay of eight days and the injury suffered by the injured has been opined to be simple and the blow is not alleged to have been repeated.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Harsidhi P.S. Case No. 433 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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