

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20443 of 2026

Arising Out of PS. Case No.-28 Year-2019 Thana- AIRPORT District- Patna

Nitesh Kumar @ Nitish Kumar Son of Pramod Prasad Singh R/o P.O. - Piroi,
P.S.- Garaul, Dist- Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate.

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-04-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Hawai Adda P.S. Case No.28 of 2019 instituted under
Sections 419, 420, 467, 468 & 471 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged
that pursuant to the advertisement for the appointment of driver,
police and fire fighting persons, examination was held at
different centres. Further, after they crossed the physical
efficiency test, were called for driving test and were supposed to
give their respective thumb impression on the scanner which
were preserved. Later, it was found that the thumb impression as
also hand writing of some of the candidates including the
petitioner did not match with the original samples, accordingly,
FIR was lodged.

4. Learned counsel for the petitioner submits that
petitioner has appeared in the examination but wrongly



implicated in the case. He further submits that, though the FIR is of the year 2019, he had no knowledge about his name in the said case and came to know only after the notice was issued to the petitioner by the Airport Police Station, Patna on 29.08.2025 thereafter, the anticipatory bail was filed. Learned counsel submits that similarly situated co-accused persons namely Dhirendra Kumar and Md. Perwez have already been granted anticipatory bail by the Co-ordinate Benches of this Court vide orders dated 26.02.2026 & 08.04.2026 passed in Cr. Misc. Nos.12931 of 2026 & 17032 of 2026 respectively. He further submits that petitioner has got clean antecedent and he undertakes to cooperate in the investigation and trial of the case.

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

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties, fair antecedent of petitioner and the nature of allegation leveled against him as well as the fact that similarly situated co-accused persons have already been granted anticipatory bail, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned A.C.J.M.-Vth,



Patna/ concerned Court in connection with Hawaii Adda P.S. Case No.28 of 2019, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with further following conditions:-

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds

(Sunil Dutta Mishra, J)

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