

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25176 of 2026

Arising Out of PS. Case No.-262 Year-2025 Thana- ASHTHAWAN District- Nalanda

Nitish Kumar Son of Kaushlendra Paswan R/o Village - Ugawan, P.S. -
Asthawan, Dist. - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hansraj, Adv.

For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 13-05-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner makes a prayer for bail in connection with Asthawan P.S Case No. 262 of 2025 F.I.R dated 30.07.2025 registered for the offences punishable under Sections 126(2), 115(1), 118(1), 109 and 3(5) of BNS, 2023.

3. As per the prosecution case, informant Bhushan Paswan alleges that on 14.10.2025 at about 09:00 P.M., accused Nitish Kumar and Rahul Paswan took away the informant's son, Gariban Paswan, towards the field and brutally assaulted him. At about 11:00 P.M., the injured was left near the informant's house, whereupon the informant found him crying in pain. The injured was first taken to Pawapuri for treatment and thereafter



referred to AIIMS, Patna due to his serious condition. On the basis of the written report, the present case was registered against the accused persons.

4. Learned counsel for the petitioner submits that petitioner is innocent, has committed no offence and has falsely been implicated in this case. It is submitted that as per allegation, the occurrence is said to have taken place on 14.07.2025 but the FIR has been lodged on 30.07.2025, after an unexplained delay of 16 days. The case of the petitioner is that allegation against this petitioner and co-accused is general and omnibus in nature. There is no specific allegation against this petitioner. Learned counsel for the petitioner further submits that similarly situated co-accused person, namely, Rahul Paswan has been granted bail by a Co-ordinate Bench of this Court vide order dated 25.02.2026 passed in Cr. Misc. No. 91783 of 2025. Petitioner is languishing in judicial custody since 01.08.2025. Moreover, a statement has been made in para 3 that the petitioner has clean antecedent.

5. Learned Additional Public Prosecutor for the State opposes the prayer for regular bail.

6. Considering the facts and circumstances, the period of custody and the clean antecedent, the petitioner is 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, Biharsharif, Nalanda in connection with Asthawan P.S Case No. 262 of 2025, subject to the condition that the petitioner shall co-operate in the investigation/trial.

(Ajit Kumar, J)

Abhishek/-
Sanjay/-

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