

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25427 of 2026

Arising Out of PS. Case No.-53 Year-2026 Thana- NEMDARGANJ District- Nawada

1. Raushan Kumar S/O Sri Rameshwar Yadav
2. Nitish Kumar Son of Sri Rameshwar Yadav
Both are resident of village-Nandlalbigha, P.S.- Nemdarganj, District-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-04-2026 Heard Mr.Vijay Kumar Sinha, learned counsel for the

petitioners and Mr.Ramesh Chandra, learned Additional Public

Prosecutor for the State.

2. The petitioners seek bail, who are in custody since
05.02.2026 in connection with Nemdarganj P.S. Case No. 53 of
2026, F.I.R. dated 04.02.2026 registered for the offence
punishable under Sections 126(2), 115(2), 118(1), 109, 303(2),
351(3), 352, 3(5) of BNS, 2023.

3. Allegation against the petitioners is that they
assaulted the son and daughter of the informant with rod, khanti
etc. on their head as a result of which they were injured.

4. Learned counsel for the petitioners submits that the



petitioners have clean antecedent. From a bare perusal of the FIR it appears that due to some petty dispute, the present occurrence had taken place. Although the petitioners are named in the FIR but from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners. Although some of the persons from the informant's side have received the injury but the injury report of the injured persons suggests that the injury is simple in nature caused by the hard and blunt substance and the petitioners are in custody since 05.02.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries 18 more cases other than the present one, out of 18 cases, the petitioner is on bail in 15 cases and rest three cases are pending for consideration before the competent court of law, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, petitioners have clean antecedent and injury inflicted upon the injured persons is simple in nature, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each



with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Nawada in connection with Nemdarganj P.S. Case No. 53 of 2026, with the following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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