

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.31128 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

Nitish Kumar @ Nitish Chero S/o Ganga Chero, R/o Village- Bajardihwa,
P.S.- Bhagwanpur, Distt.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

2 07-05-2026 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bhagwanpur P.S. Case No.23 of 2026 instituted under
Sections 126(2), 115(2), 109(1), 303(2), 352, 351(2) & 3(5) of
the B.N.S., 2023.

3. As per the prosecution case, the informant has
alleged that when she was at her door, in the meantime
petitioner alongwith co-accused Vikash Chero having armed
with various weapons came at her door and started abusing and
assaulting causing injury to her.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. He further submits that there is delay of 3 days in lodging
the F.I.R. without any plausible explanation. Learned counsel
submits that both the parties are *gotiya* and a free fight takes
place between the parties due to which there is case and counter



case between them. He further submits that the injury to the injured is simple in nature. Learned counsel submits that petitioner is a young boy of 24 years, having 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 and the nature of allegation against the petitioner as well as his clean antecedent, 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 Additional Chief Judicial Magistrate-1st, Kaimur at Bhabua/ concerned Court in connection with Bhagwanpur P.S. Case No.23 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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