

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34325 of 2026

Arising Out of PS. Case No.-575 Year-2025 Thana- BHAGWAN BAZAR District- Saran

Nitish Diwala @ Nitish Kr. Chaudhary @ Nitish Kumar S/o Late Omprakash
@ Om Prakash Chaudhari R/o Village- Gudri Rai Chak, P.S.- Bhagwan Bazar,
District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nitya Nand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-05-2026 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118, 109, 303(2), 352(2), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. The prosecution case, in brief, is that on 20.10.2025 at 11:45 PM in the night while informant was returning home after closing his shop and reached near Dharmnath Mandir, all the F.I.R. named accused persons including this petitioner abused and assaulted informant and others, as a result of which they sustained injuries. It is further alleged that accused persons also snatched gold chain, ring and locket from informant and others.



4. It is submitted on behalf of the petitioner that due to previous dispute, a simple occurrence of *maar-peet* took place between both the parties in which both sides inflicted injuries on each other. Case and counter case. The present case is counter blast of Bhagwan Bazar PS Case No. 576 of 2025 which was lodged by petitioner's side against informant and others. Allegation of assault is general and omnibus against petitioner. Injuries sustained by the injured are simple in nature. Rest of the allegations are ornamental in nature to make grave. Similarly situated co-accused persons have already been granted anticipatory bail by this Court *vide* order dated 07.04.2026 passed in Cr. Misc. No. 19879 of 2026. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering backdrop of the case, nature of accusation, injuries, case and counter case and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be 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 Chief Judicial Magistrate,
Saran at Chapra in connection with Bhagwan Bazar P. S. Case
No. 575 of 2025, subject to condition as laid down under
Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita,
2023.

(Prabhat Kumar Singh, J)

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