

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34276 of 2026

Arising Out of PS. Case No.-203 Year-2025 Thana- BIRPUR District- Supaul

Nitish Kumar S/O Chit Narayan Mehta R/O Village- Daulatpur, Ward No. 8,
P.S.- Raghopur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Singh, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 19-05-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Birpur (Balua Bazar) P.S. Case No. 203 of 2025 registered for the offences punishable under sections 126(2), 115, 117(2), 352 and 3(5) of the B.N.S. and section 25(1-B)a, 26, 35 of the Arms Act.

3. As per the prosecution story which has been lodged on the basis of the written report submitted by the informant to the effect that on 18.06.2025 at about 18.33 P.M., he received information that some youths were quarreling at Rampur, Ward no. 1. Upon such information, the informant along with police party proceeded to the place of occurrence and reached there at about 7.00 P.M. The informant found that two persons have



been surrounded by the local people. Both the persons were taken into custody by the police and they disclosed their names as Dilkhush Kumar and Ranjeet Kumar. During the course of inquiry, the local people disclosed that five youths were quarreling for some money transactions and three persons have escaped from there. During course of search, one country made pistol and one live cartridge were recovered from the pocket of Dilkhush Kumar. The arrested persons disclosed the name of the petitioner and others, who fled away from the place of occurrence.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated, since he was accused in another case of similar nature. He further submits that petitioner is a student and passed annual examination of Intermediate in 2020 and has completed his Graduation in 2023. The name of petitioner transpired in this case on the basis of confessional statement of the arrested persons. No incriminating article has been recovered from possession of this petitioner. He further submits that even the parentage and village name, has wrongly been mentioned. The petitioner has got one criminal antecedent of Arms Act and he is on bail in that case.

5. The learned A.P.P. for the State submits that the



petitioner is accused in similar nature of case and submits that if he will be allowed the privilege of anticipatory bail, he will again indulge in the same activity.

6. Having heard the learned counsel for the parties and after going through the records, it appears that petitioner was not apprehended at the spot. Arms and ammunition were recovered from possession of co-accused Dilkhush Kumar. The petitioner is a student, preparing for competitive examination. Considering the same, let the above named petitioner, in the event of arrest/surrender within a period of six weeks, 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 Additional Chief Judicial Magistrate, Birpur or concerned court/successor court, Supaul in connection with Birpur (Balua Bazar) P.S. Case No. 203 of 2025, subject to conditions as laid down under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 with further condition:

(i) The trial court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take step for cancellation of bail bonds of the petitioner. 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.

(ii) One of the bailers should be the father of the petitioner.

(Ritesh Kumar, J)

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