

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35379 of 2026

Arising Out of PS. Case No.-9 Year-2026 Thana- BELHAR District- Banka

Nitish Kumar Bhagat @ Nitish @ Nitish Kumar Son of Avdesh Bhagat @
Udesh Sah @ Udesh Shah Resident of village- Sahebganj @ Sahebganj,
(mathura) PS- Belhar, Distt- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Raj, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 21-05-2026 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

2. The instant application for regular bail has been
filed by the petitioner in connection with Belhar P.S. Case No.
09 of 2026 instituted for the offence under Sections 126(2),
115(2), 109, 352, 351(2) and 3(5) of the BNS.

3. The case of the prosecution, in short, is that one
Avdhesh Bhagat and this petitioner has assaulted with iron rod
on the head of the informant, due to which he received bleeding
injury.

4. Learned counsel for the petitioner has submitted
that the nature of allegation is general and omnibus. It is further
been submitted that from perusal of the order of the learned
Trial Court has recorded that according to injury report, the



injured Raju Kumar Shah sustained lacerated wound over scalp and swelling size 2 cm x 0.5 cm x 0.2 cm. Learned counsel for the petitioner has submitted that there is allegation against two persons of assaulting with iron rod, whereas, the injured has sustained only one injury. It has further been submitted that this case is the counter version of the case which was filed by the petitioner's side.

5. Learned A.P.P. for the State has vehemently opposed the bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail in connection with Belhar P.S. Case No. 09 of 2026, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each of them with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

Khushbu/ Utkarsh/-

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