

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38871 of 2026

Arising Out of PS. Case No.-168 Year-2025 Thana- PIRI BAZAR District- Lakhisarai

Nandan Kumar S/o Mahendra Mahto R/o Vill- Maheshpur, P.S- Piri Bazar
,Dist -Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-06-2026 Heard Mr.Vijay Kumar, learned counsel for the
petitioner and Mr.Madhura Nand Jha, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
27.04.2026 in connection with Piri Bazar P.S. Case No. 168 of
2025, F.I.R. dated 21.10.2025 registered for the offence
punishable under Sections 115(2)126(2),110,351(2),352,3(5) of
BNS, 2023.

3. Allegation against the petitioner is that he
alongwith other co-accused persons assaulted the informant
with lathi, danda, fists and kicking and thereby informant
sustained injury on his nose.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. From a bare
perusal of the FIR it appears that although the petitioner is



named in the FIR but there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. Further submits that from a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 18.10.2025 but the present FIR has been instituted on 21.10.2025 after delay of three days without giving any explanation of delay afterthought only to falsely implicate the petitioner and other co-accused persons in the present case and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 27.04.2026.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid fact, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and the present FIR has been instituted after delay of three days, let the petitioner, above named, be released 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 J.M.-1st/Incharge Successor Court, Lakhisarai in connection with Piri Bazar P.S. Case No. 168 of 2025, with the following conditions:-

(I) Petitioner 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers 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 petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond 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.

(Rajesh Kumar Verma, J)

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