

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39311 of 2026

Arising Out of PS. Case No.-100 Year-2025 Thana- NAYA RAM NAGAR District- Munger

Nitish Kumar S/o Ram Bilash Yadav @ Pappu Yadav R/o Village -
Kalarampur, P.S.- Nayaram Nagar, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha, Adv.

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Naya Ramnagar P.S. Case No. 100 of 2025 dated 12.11.2025 registered for the offence punishable under Section/s 115(2), 126(2), 74, 109, 303(2), 351(2), 352, 3(5) of the B.N.S., 2023.

3. The prosecution case, in short, is that on 07.11.2025, during a dispute over possession of land, the accused persons assaulted the informant, her husband, and her son with an iron rod and sticks, causing injuries. It is further alleged that one Nitish Kumar outraged the informant's modesty by tearing her blouse and that cash worth about Rs. 25,000 was also taken away.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged in the F.I.R. It is next submitted that there is a case and counter case between the parties for the same and similar incident in which both the parties have sustained injuries. It is next submitted that even the allegation of outraging the modesty has also been alleged by both the sides. It is further submitted that there is no allegation of assault against the petitioner while the petitioner bears clean antecedent. It is next submitted that five co-accused persons have already been granted privilege of anticipatory bail vide order dated 16.04.2026 passed by a Co-ordinate Bench of this Court in Cr. Misc. No. 22877 of 2026.

5. Learned APP for the State oppose the prayer for grant of anticipatory bail. Ms. Nidhi Suman, learned counsel appearing on behalf of the Informant, also opposes the prayer for anticipatory bail of the petitioner by contending that there is a direct allegation against the petitioner of outraging the modesty of the Informant.

6. Having heard learned counsel for the parties and considering the fact that there is a case and counter case between the parties and the allegation of overt act is not against the petitioner and, as also, the fact that the co-accused have



already been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Munger in connection with Naya Ramnagar P.S. Case No. 100 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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