**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL APPEAL (SJ) No.2503 of 2026**

**CNR No. BRHC010670642026**

Arising Out of PS. Case No.-224 Year-2023 Thana- SARMERA District- Nalanda

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Nitish Kumar S/O Gore Paswan @ Ramvilas Paswan R/O Vill.- Atakpur, Jahangirpur, P.s.- Sarmera, Dist.- Nalanda.

... ... Appellant/s

Versus

1. The State of Bihar
2. Dilip Kumar S/O Late Girdhari Das R/O Vill.- Dhanuki, P.s.- Sarmera, Dist.- Nalanda.

... ... Respondent/s

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**Appearance :**
For the Appellant/s : Mr. Dinkar Kumar, Adv.
For the Respondent/s : Mr. Chandra Bhushan Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**

ORAL ORDER

2 30-10-2026 1. Heard learned counsel for the appellant, learned APP for the State, Mr. Chandra Bhushan Prasad and the learned counsel appearing on behalf of the informant.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the "SC/ST Act") against the refusal of prayer for regular bail vide order dated 08.06.2026 passed by the learned Additional Sessions Judge-VI-cum-Special Judge S.C./S.T. (POA) Act, Biharsharif, Nalanda in connection with Sarmera P.S. Case No. 224 of 2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 326, 307, 302, 427 and 504 of the

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Indian Penal Code and Section 27 of Arms Act as well as Sections 3(1)(r)(s) and 3(2)(v) of the SC/ST Act.

3. Learned counsel for the appellant submits that appellant has antecedent of one case and is in custody since 12.05.2026 and charge-sheet has been submitted. It is next submitted that Sanjeev Kumar @ Sanjeev Kumar Sonu had approached this court seeking regular bail by filing Cr. Appeal (SJ) No. 1929 of 2025 and the same came to be allowed by an order dated 03.07.2025 passed by the then learned Coordinate Bench. It is further submitted that the case of the appellant is similar to the case of the Sanjeev Kumar. It is next submitted that appellant is not alleged to have fired.

4. Learned APP for the State and the learned counsel appearing on behalf of the informant oppose the prayer for bail of the appellant, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellant that the case of the appellant is similar to the case of Sanjeev Kumar.

5. After hearing the learned counsel for the parties and taking into submissions made by the learned counsel appearing on behalf of the appellant and considering the order dated 03.07.2025 in Cr. Appeal (SJ) No. 1929 of 2025, the order

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dated 08.06.2026 **is hereby set aside,** the appellant, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sarmera P.S. Case No. 224 of 2023.

6. **Accordingly, the application stands allowed.**

**(Satyavrat Verma, J)**

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