

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47536 of 2026

Arising Out of PS. Case No.-124 Year-2025 Thana- SALAKHUA District- Saharsa

Nikhil Yadav @ Nikhil Kumar, S/o Dilip Yadav, R/o vill - Salkhua Goth,
Ward No. 3, P.S.- Salkhua, District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-07-2026 Heard Mr. Ashok Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Binod Kumar, learned APP
for the State.

2. The petitioner seeks pre-arrest bail in connection
with Salkhua P.S. Case No. 124 of 2025, registered for the
offence punishable under Sections 126(2), 351(2), 61(2)(a), 3(5)
of the BNS and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, petitioner
along with other accused persons, had opened fire at the house
of the informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely
been implicated in the present case. General and omnibus
allegation has been levelled against the petitioner. No injury was



sustained by anybody. There is case and counter case between the parties. Other co-accused, namely, Rupesh Kumar has already been granted pre-arrest bail by a co-ordinate Bench of this Court vide order dated 13.05.2026 passed in Cr. Misc. No. 33181 of 2026. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR. No injury was sustained by anybody. There is case and counter case between the parties. Other co-accused, namely, Rupesh Kumar has already been granted pre-arrest bail by a co-ordinate Bench of this Court vide order dated 13.05.2026 passed in Cr. Misc. No. 33181 of 2026. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four 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 the learned District Court where the case is pending, in connection with Salkhua P.S. Case No. 124 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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