

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47971 of 2026

Arising Out of PS. Case No.-469 Year-2023 Thana- TEKARI District- Gaya

Nikhil @ Raja son of Shshi Bhusan Paswan @ Bhushan Paswan @ Shashi
Bhushan Resident Of Village -Madhopur Ps -Tekari District -Gaya Ji
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabia Gulnaz

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Tekari P.S. Case No. 469 of 2023 dated 02.08.2023
registered for the offence punishable under Section/s 392 of the
Indian Penal Code.

3. As per the prosecution case, while the Informant was
proceeding towards Gaya by his tempo, in the way, three
persons stopped the Informant and forcibly got inside the tempo.
It is alleged that the accused persons assaulted the Informant
and took away his tempo.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
instant case. It is next submitted that the petitioner is not named
in the F.I.R. and his name has transpired in this case on the basis



of the confessional statement of the co-accused Pankaj Kumar who has already been granted bail by a Co-ordinate Bench of this Court vide order dated 30.07.2024 passed in Cr. Misc. No. 51863 of 2024. It is further submitted that the co-accused Manish Kumar and Ankit Paswan have also been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 19.03.2025 passed in Cr. Misc. No. 13750 of 2025. It is next submitted that nothing has been recovered either from the constructive possession of the petitioner or from his house. Lastly, it is submitted that the petitioner is a person of clean antecedent.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that the name of the petitioner has transpired in this case on the basis of confessional statement of the co-accused who has already been granted bail by a Co-ordinate Bench of this Court and the fact that nothing has been recovered from the constructive possession of the petitioner and, as also, the petitioner having no criminal antecedent, 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 Additional Chief Judicial Magistrate-VI, Gaya Ji in connection with Tekari P.S. Case No. 469 of 2023, 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 who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner 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 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.

(Ajit Kumar, J)

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