

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48204 of 2026

Arising Out of PS. Case No.-26 Year-2026 Thana- KHAGARIA District- Khagaria

Nitish Yadav @ Nitish Kumar S/O Late Ram Parvesh Yadav @ Vijay Yadav
R/O Village-Gangiya, P.S- Gangaur, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

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

2. The petitioner is apprehending his arrest in connection with Khagaria (Gangaur) P.S. Case No. 26 of 2026, F.I.R dated 19.01.2026 registered for the offences punishable under Sections 126 (2), 115 (2), 109, 329 (4), 352, 351 (2), 351 (3) Bharatiya Nyaya Sanhita, 2023 and Section 27 of Arms Act.

3. According to prosecution case, on 19.01.2026. It is alleged that on 18.01.2026 at about 12:00 noon, while the informant was constructing a boundary wall, the accused persons objected and attempted to stop the work. Upon protest, they allegedly pelted bricks and stones. Chitranjan Kumar Yadav is alleged to have fired from a pistol with intent to kill, causing injury to the informant's cheek. It is further alleged that



when the informant's daughter, Satyam Kumari (aged about 6 years), intervened, Nitish Yadav assaulted her with an iron rod causing head injury. The accused also allegedly threatened the informant's brother, Veer Bahadur, and while leaving, Rabin Yadav fired in the air and threatened the informant and his family with dire consequences.

4. Learned counsel for the petitioner submits that the informant and this petitioner are close agnates and during the course of wall being constructed, certain altercation is said to have been taken place and during such altercation certain injury is said to have been received by the daughter of the informant. It has next been submitted that the petitioner, without accepting his guilt, proposes to pay an amount of Rs. 5,000/- as a financial support on account of the medical treatment for the injuries caused to the daughter of the informant which are found to be simple in nature.

5. Learned APP for the State opposes the prayer for anticipatory bail application in respect of the petitioner.

6. Considering the aforesaid facts that both the informant and this petitioner are close agnates and the efforts shown by this petitioner to bring quietus to the on-going dispute by maintaining peace and further offering financial support to the tune of Rs. 5,000/- to the



injured person without accepting his guilt, accordingly, this Court, in the interest of justice, is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 the learned CJM, Khagaria in connection with aforementioned P.S. Case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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/her/their 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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