

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51406 of 2026

Arising Out of PS. Case No.-92 Year-2026 Thana- RAJAPAKAR District- Vaishali

Nishant Kumar S/O Rakesh Singh R/O Village- Rajapakar, Kushwaha Tola,
P.S- Rajapakar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Ms. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 29-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Rajapakar P.S. Case No. 92 of 2026 lodged on 21.02.2026, for
the offence punishable under Sections 109, 352, 351(3) & 3(5)
of the Bharatiya Nyaya Sanhita, 2023 and section 27 of the
Arms Act.

3. As per the prosecution, FIR has been lodged against
one named accused person (present petitioner) and one
unknown person. It has been alleged by the informant that the
petitioner and his friend namely, Suraj Kumar @ Kundan
Kumar fired from their pistol upon the informant but the bullet
passed beside informant's ear. Thereafter, the informant came to
know that they watch his daughter with bad intention. It has also
been alleged that accused Suraj Kumar @ Kundan Kumar has



repeatedly threatened the informant for dire consequences.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner has unnecessarily been made accused in this case due to dirty village politics and ulterior motive. He submits that the dispute is otherwise i.e. for demarcation of land and due to this reason, the petitioner's name has figured in this case. Counsel submits that the criminal antecedent of the petitioner is not clean as there is one case pending against him. He submits that the petitioner is a young person aged about 19 years and the specific allegation is against accused Suraj Kumar @ Kundan Kumar. Counsel undertakes that in future, the petitioner shall not come near the house of the informant with accused Suraj Kumar @ Kundan Kumar and he shall not play any role in this regard.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the cartridges of the pistol have been recovered from the place of occurrence and in the rejection order, it has come that the accused namely, Suraj Kumar @ Kundan Kumar who is the friend of the petitioner used to come to harass the informant's daughter. He further submits that the petitioner is aged about 19 years.



6. As such, in the present facts and circumstances of the case considering the undertaking that in future, the petitioner shall not come near the house of the informant with accused Suraj Kumar @ Kundan Kumar to disturb the informant's daughter in any manner, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of J.M. 1st Class, Vaishali at Hajipur, in connection with Rajapakar P.S. Case No. 92 of 2026, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. It is made clear that if in future, the petitioner along with accused Suraj Kumar @ Kundan Kumar comes near the house of the informant to disturb the informant's daughter in any manner, then the informant shall be at liberty to file an application before the trial court for cancellation of bail bond of the petitioner.

(Dr. Anshuman, J)

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