

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68854 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- MADHEPURA District- Madhepura

Nitish Kumar Son of Bijendra Rai, Resident of village -Maheswa, Ward No 10, PS- Madhepura, (Bharrai OP), Dist- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. II, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 05-01-2026 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with S.T. No. 164 of 2025, arising out of Madhepura P.S. Case No. 82 of 2025 dated 19.01.2025, registered for the offences punishable under Sections 309(6) and 109 of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, while the informant had been returning home after his job, three miscreants on one motorcycle tried to stop him. The informant sped away his motorcycle fearing danger. While fleeing away from the spot, the other motorcycle borne criminals fired upon the informant, who received a bullet injury.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has falsely been implicated in



the present case. Nothing incriminating has been recovered from person or possession of this petitioner. There is general and omnibus allegation of firing against this petitioner. The prosecution story is not believable that informant identified the petitioner in the light of a vehicle. Learned counsel next submits that petitioner is having clean antecedent. Learned counsel lastly submits that petitioner is in custody since 07.03.2025 and charges have been framed in this case.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the framing of charge and also considering petitioner's period of custody and his clean antecedent, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-IX, Madhepura / concerned Court, in connection with **Madhepura P.S. Case No. 82 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the



petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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