

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89754 of 2025

In
CRIMINAL MISCELLANEOUS No.67431 of 2025

Arising Out of PS. Case No.-95 Year-2022 Thana- KARAHGAR District- Rohtas

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Nitish Kumar @ Raj Nikhil @ Rajnish @ Nitish Kumar Paswan S/O Vijay
Paswan @ Vijay Ram Resident Of Village- Kauwakhoch, Ps- Kargahar, Dist.-
Rohtas

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Shailendra Kumar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

2 09-01-2026 This application has been filed for modification of the

order dated 23.09.2025 passed in Cr. Misc. No. 67431 of 2025 by

which the the bail petition of the petitioner was disposed of with the

observation that the petitioner is directed to surrender within six

weeks before the Court below which shall disposed of his regular

bail petition in the light of the earlier order of co-ordinate Bench in

Mahendra Prasad Singh vs State of Bihar (2004) 3 PLJR 491.

2. The FIR was registered under bailable sections. The
petitioner was granted regular bail by the court below, but the charge
sheet was submitted under Section 307 of the IPC. The petitioner,
thereafter being apprehensive of his arrest, filed an application for
anticipatory bail, which was rejected by the court below.

3. This Court, vide order dated 23-09-2025, directed the



learned court below to dispose of the regular bail petition of the petitioner if he surrenders, in the light of the order passed in light of **Mahendra Prasad Singh vs State of Bihar (2004) 3 PLJR 491.**

4. Learned counsel for the petitioner has submitted that other co-accused persons, on the exactly similar footing, have been granted anticipatory bail by the Co-ordinate Bench of this Court in Criminal Miscellaneous No. 54232 of 2025.

5. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Kargahar P.S. Case No. 95 of 2022, subject to the conditions as laid down under Section 438(2) Cr.P.C.

6. Accordingly, the modification application is allowed to the extent indicated above.

(Nawneet Kumar Pandey, J)

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