

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.352 of 2026

Arising Out of PS. Case No.-208 Year-2025 Thana- SAHARSA SADAR District- Saharsa

Nitish Kumar S/o Ganesh Prasad Yadav @ Ganesh Yadav R/o Village-
Dumrail Ward No.3, Saharsa, P.S- Saharsa Sadar, Dist- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 331(4), 191(3), 115(2), 126(2), 109 of BNS and Section 27 of the Arms Act.

3. The case of the prosecution is that while the informant along with his son and daughter was sleeping in the house that at about 12:30 AM, someone knocked the door. When the son of the informant came out after opening the door, those miscreants started abusing and beating him. The informant came out after hearing the noise and he saw that 5-6 persons were beating his son. When the informant tried to rescue his son, they fired bullet one of which hit informant's son below his right chest and another bullet hit on informant's right thigh.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the FIR, it is clear that the FIR was lodged against unknown miscreants and during course of investigation, the name of this petitioner has surfaced in the confessional statement of co-accused person. There is no any specific allegation against this petitioner. The nature of allegation is general and omnibus. Save and except, confessional statement, there is nothing against this petitioner. Moreover, he is languishing in judicial custody since 25.02.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Saharsa Sadar P.S. Case No. 208 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge IV, Saharsa.

(Ashok Kumar Pandey, J)

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