

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91431 of 2025

Arising Out of PS. Case No.-192 Year-2025 Thana- GURUA District- Gaya

Nitish Kumar S/O Ram Janam Yadav Resident of Village- Fulwariya, P.S.-
Dev, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 29-01-2026 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 308(5) and 3(5) of B.N.S.

3. The case of the prosecution is that three armed miscreants told the Poclain Operator to stop the work and directed him to ask the contractor to pay levy after that they will be able to start the work. It is further alleged that on the next day, a call was received from the mobile no 9216292020 on the mobile of the informant to the effect that Naxali Mukesh was calling from other side and was demanding levy of Rs. 5%.

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 the name of this petitioner is not there in the FIR and the mobile number from which the call was made to the informant does not belong to the petitioner. The name of this petitioner has come during investigation on the basis of confessional statement of co-accused. Save and except confessional statement of co-accused, there is nothing against this petitioner. Learned counsel has further submitted that similarly situated co-accused persons have already been granted bail by the learned co-ordinate Bench of this Court and by this court as well vide order dated 12.01.2026 and 15.01.2026 passed in Cr. Misc. Nos. 89164 of 2025 and 89798 of 2025 respectively. The case of this petitioner stands on similar footing. Moreover, the petitioner is languishing in judicial custody since 05.07.2025.

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 Gurua P.S. Case No. 192 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 J.M.F.C., Gaya Ji.

(Ashok Kumar Pandey, J)

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