

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1367 of 2026

Arising Out of PS. Case No.-258 Year-2025 Thana- RAJEPUR District- East Champaran

Nitesh Kumar S/O Surendra Yadav R/O Village- Kanakati, Kothiya Hariram,
P.S- Mehshi, District- East Champaran at Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Ranjan, Advocate Mr. Saket Kumar, Advocate
For the State	:	Mrs.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Rajepur P.S. Case No. 258 of 2025 registered for the alleged offences under Sections 310(4), 310(5) of B.N.S. and Sections 25(1-B)/a/26/35 of the Act.

03. As per prosecution case, police received secret information about some miscreants travelling in a car with illegal weapons. The identified car was signaled to stop and the persons sitting in it tried to run away after stopping their car, but they were apprehended. The petitioner is one of the five apprehended persons. Recovery of country made pistol was



made from co-accused and four mobile phones were also recovered from co-accused persons and recovery of mobile phone has been made from the petitioner.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No firearm was recovered from the person or possession of the petitioner and the recovered mobile phone belongs to this petitioner. Learned counsel further submits that similarly placed co-accused Raja Kumar has been granted bail by learned Co-ordinate Bench vide order dated 08.01.2026 passed in Cr. Misc. No. 88946 of 2025. The petitioner is having clean antecedent. The petitioner is in custody since 29.08.2025 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery of any firearm has been shown from the petitioner and further considering the period of custody of the petitioner, his clean and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, East Champaran at Motihari/concerned Court in connection with Rajepur P.S. Case No. 258 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the 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.

(iii) In case of absence on three consecutive dates 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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