

**IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-1<sup>st</sup>-  
CUM-SPECIAL JUDGE (SC/ST, CHILDREN & NDPS ACT)  
AURANGABAD (BIHAR)**

**Present: Vishwa Vibhuti Gupta, District & Additional Sessions Judge-1st-cum- Special Judge  
(SC/ST, CHILDREN & NDPS ACT) Aurangabad, Bihar.**

**REGULAR BAIL APPLICATION NO. 280 OF 2026**

**Nabinagar PS Case No. 55 of 2026**

**Bittu Gupta & Ors.**

**Petitioners**

**Versus**

**State of Bihar**

**Prosecution**

**Appearance:**

Learned Counsel for the accused-petitioners  
Learned Counsel for the State

- Shri Manoj Kumari Tiwary  
- Shri Shakti Kumar Singh

**Order with signature of the Court**

**Dated  
18.03.2026**

A regular bail petition has been filed on behalf of the accused-petitioners namely **1. Bittu Gupta, 2. Bipin Gupta and 3. Nitish Kumar Yadav**, who have been in judicial custody since 06.03.2026 in connection with Nabinagar PS Case No. 55/2026 under Sections 126 (2), 115 (2), 118 (2), 109(1),303(2), 352 and 3 (5) of the Bhartiya Nyaya Sanhita (BNS), 2023 and Sections 3 (1) (r)(s), 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The CD was called for and the same is available on the record. After furnishing the copy of the bail petition to the Special Public Prosecutor, SC/ST (POA) Act and this bail petition pressed today.

The learned counsel for the accused-petitioners reading out the contents of the F.I.R., submitted that the accused/petitioners are innocent and they have committed no offence and no any bail petition has been filed on behalf of the petitioners before any Court of law except the instant one. He added that there is no criminal antecedent against the accused-petitioners. It is further submitted that as a matter of fact members of informant group abused and assaulted the petitioners for which Nabinagar PS Case No. 56/2026 dated 04.03.2026 was lodged against the informant and his associates and they to save their skin and by way of reply this instant case has been lodged by the informant. On instigation of political rivals informant lodged this false case. He further submitted that informant also levelled ornamental allegation of theft and abusing in the name of caste b ut there is none and nothing against the petitioners. The accused/petitioners are in judicial custody since 06.03.2026 and the accused-petitioners is men of means. The petitioners are ready to furnish sufficient bail bonds and sureties to the court. Hence, it has been prayed to extend the privileges of bail to the accused-petitioners.

Per-contra, the learned Special Public Prosecutor, SC/ST (POA) Act has opposed

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**Cont....  
18.03.2026**

the bail application and the accused-petitioners do not deserve the regular bail.

Heard both the parties and perused the case record. After perusal of the case record, it transpires that the FIR registered in Nabinagar PS Case No. 55/2026 under Sections 126 (2), 115 (2), 118 (2), 109(1),303(2), 352 and 3 (5) of the Bhartiya Nyaya Sanhita (BNS), 2023 and Sections 3 (1) (r)(s), 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the accused persons including the accused-petitioners. The allegation against the petitioners is that all the accused-petitioners including the petitioners abused and assaulted the informant's sons Sushil Kumar and Nitish Kumar inflicted injury on the head of Sushil Kumar. Further, from perusal of the case record and para-44 photostat of case diary, it transpires that the injury report of the injured person has yet not been submitted before the court as the opinion reserved till CT Scan report come.

Considering the above facts and circumstance of the case and without going to the merit of this case, the abovenamed accused-petitioners **are granted provisional bail till the submission of injury report of the injured person on furnishing bail bonds of Rs. 10,000/-(Ten thousand) with two sureties of like amount each to the satisfaction of the Court till 18.04.2026.**

The Ld. Spl. PP is directed to call for the injury report on or before 18.04.2026.

O/c is directed to put this case on **19.04.2026** for hearing of the bail petition on merit.

**Dictated by**

(Vishwa Vibhuti Gupta)  
District & Additional Sessions Judge-1st-cum-  
Special Judge (SC/ST, CHILDREN & NDPS Act)  
Aurangabad, Bihar.  
Dated: 18.03.2026

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