

In the Court of Dist. & Addl. Sessions Judge-1, Begusarai

B.A. No. 746 of 2026

Arising out of Ballia P.S. Case No. 380/2025

Nitish Kumar @ Nitish Yadav Vrs. State of Bihar

23.06.2026

1. A bail petition has been filed on behalf of petitioner namely; **Nitish Kumar @ Nitish Yadav** s/o-Pramod Yadav R/o-Chhoti Ballia, Akhtiyarpur Yadav Tola, P.S.-Ballia, Dist.-Begusarai who is in custody since 08.05.2026 in connection with Ballia P.S Case No.380/2025 for committing an offence u/ss-329(3), 352, 351(2), 308(2), 109(1), 115(2), 126(2), 74, 303(2), 3(5) of BNS.

2. The prosecution case, in brief, is that on 03.09.2025 at about 07:00 pm, informant was at her house. When accused Nitish Yadav(petitioner) along with two unknown persons arrived there and started abusing her and wanted to know the whereabouts of Amit. They alleged that Amit has to pay Rs/- 10,000 as extortion money which had not been paid for the last fifteen days and threatened to kill him if the amount was not paid. When informant explained her inability to pay, thereafter, Nitish Yadav (petitioner) took out a pistol and attempted to strike her on the head causing injuries to her temple and eye. Out of fear, informant handed over Rs/- 4,000 and assured them that the remaining amount would be paid within a week. It is further alleged that Nitish Yadav tore her cloth, and when her husband intervened, the accused persons assaulted him and snatched his gold chain. They threatened to kidnap or kill her husband or son if the matter was reported to the police. Informant received medical treatment at Balia Primary Health Centre and was referred to Sadar Hospital, Begusarai. So this case.

3. The learned counsel on behalf of the petitioner has submitted that an ABA No.2108/2025 has been dismissed as withdrawn by the Court of learned PDSJ, Begusarai as well as an ABA No.2258/2025 has also been rejected by the Court of learned D.A.S.J-II, Begusarai and a Cri. Misc. No.87228/2025 also rejected by the Hon'ble High Court, Patna. The petitioner is quite innocent and he has committed no offence. The petitioner has been falsely implicated in this case. There is no offence made out u/s-109 of BNS. The allegations of theft, assault and outrage the modesty are ornamental in nature. There is no evidence to the alleged occurrence. The petitioner has six criminal antecedents. The petitioner is in custody since 08.05.2026. So considering these facts the petitioner may be enlarged on bail.

4. On the other hand, the Addl Spl. PP for State has vehemently opposed the prayer of bail to the petitioner.

5. Having heard both the parties and perused the case record as well as case diary. On perusal of record, it appears that the petitioner is named in the FIR. Heard both the sides and perused the case record. The allegation against the petitioner is that he along with two unknown accused persons came and abused the informant

Present: Sanjay Kumar-III
Dist. & Addl. Sessions Judge-1, Begusarai
BA No. 746/2026
Nitish Kumar @ Nitish Yadav Vrs. State of Bihar
Date of Order: 23.06.2026

while demanding extortion money allegedly owed by Amit. When informant explained her inability to pay, Nitish Yadav attempted to strike her with a pistol, causing injuries to her temple and eye. Out of fear, informant handed over Rs.4,000/- to the petitioner. The accused tore her cloth, assaulted her husband and snatched his gold chain. In para 03, 07 and 08, witnesses have supported the prosecution story. As per injury report mentioned in para 31 of case diary, it appears that injured Bhagyawati Devi sustained two injuries caused by hard and blunt substances. Petitioner is named in the FIR and investigation is still going on. As per case diary, para 3 of bail petition, the petitioner has got six criminal antecedents. The police has submitted charge-sheet u/ss- 329(3), 352, 351(2), 109(1), 115(2), 126(2), 74, 3(5) of B.N.S against this petitioner. Earlier the ABA No. 2258/2025 has been rejected by the Court of learned D.A.S.J.-II, Begusarai and a Cri. Misc. 87228/2025 has also been rejected by the Hon'ble High Court, Patna.

6. Considering the aforesaid facts and circumstances, gravity of offence and specific allegation of assaulting upon the informant and her families; this Court is of the view that petitioners do not deserve bail. Accordingly, the prayer for bail of the petitioners namely, Nitish Kumar @ Nitish Yadav is hereby **rejected**.

(Dictated & Corrected)

Sd/-

(Sanjay Kumar-III)

Dist. & Addl. Sessions Judge-1,
 Begusarai/23-06-2026

Date of Judgment / Order	23.06.2026
Date of Reseving Judgment / Order	N.A
Uploading Date	27.06.2026
Uploaded by	J.P

Heard both the sides and perused the case record. The allegation against the petitioners is that he along with two unknown accused persons came and abused the informant while demanding extortion money allegedly owed by Amit. When informant explained her inability to pay, Nitish Yadav attempted to strike her with a pistol, causing

injuries to her temple and eye. The accused tore her clothe, assaulted her husband and snatched his gold chain. In para 03, 07 and 08 have supported the prosecution story. As per injury report mentioned in para 31 of case diary, it appears that injured Bhagyawati Devi sustained two injuries caused by hard and blunt substances. Petitioner is named in the FIR and investigation is still going on. As per case diary, para 28 has mentioned that petitioner has got six criminal antecedents. The offences are under Sections 329(3), 352, 351(2), 308(2), 109(1), 115(2), 126(2), 74, 303(2), 3(5) of B.N.S.

Web Copy not official