

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-III, KATIHAR
BAIL PETITION NO. 445/2026
(Arising out of Katihar Nagar P.S. Case No. 179/2026)

Nitin Kumar Pathak

... Petitioner

Versus

The State of Bihar

... Opposite Party

Ld. Counsel for the Petitioner:-
Ld. Counsel for the State :-

Sri Diptanshu Kumar, Advocate
Sri P.N. Singh, APP

Date of hearing/Disposal: 12.05.2026

ORDER

A regular bail petition has been filed on behalf of the accused petitioner namely (1) Nitin Kumar Pathak who is in jail custody since 09.04.2026 in connection with Katihar Nagar P.S. Case No. 179/2026 for the offence registered U/S 126(2), 127, 119, 308, 115(2), 118(2), 308(3), 122, 303(2), 109, 351(2), 3(5) of BNS. The copy of the same has already been duly served to the Ld. Addl. P.P. for the State.

Heard the Ld. counsel for the petitioner and the learned A.P.P. for the State.

The Ld. counsel of the petitioner has submitted that no B.P. or A.B.P. on behalf of the accused petitioner has been filed or moved earlier before this court or before the Hon'ble High Court, Patna. The petitioner is quite innocent and has committed no offence and he has been falsely implicated in this case. That the petitioner has two criminal history. The petitioner is not named in the FIR. Petitioner is not involved in the alleged occurrence. Petitioner is languishing in judicial custody since 09.04.2026. The petitioner is local man and no chance of his absconding. The petitioner is ready to furnish local and solvent bailors to the satisfaction of the court. Accordingly, prayed to grant bail.

On the other hand, the Ld. Addl. P.P. vehemently opposed the prayer of B.P. filed on behalf of the above named accused petitioner and submitted that the petitioner has committed the alleged offence under well planned manner. Hence, it is requested to reject the petition of the above named accused petitioner.

The case of the prosecution, in brief, is that on 09.02.2026 at the afternoon, informant along with land owner Dulal Kant Nandi went to Circle Office, Hasanganj and when they were returning, accused Ravi Jha and others assaulted the informant and land owner Dulal Kant Nandi while pointing pistol, accused persons assaulted the informant and land owner with lathi and danda on the point of knife and pistol and took their signatures on four blank papers and also on a stamp paper. The accused persons want to illegally grab the land and threatened to kill the informant and the land owner if they will go to the police station and lodge an F.I.R. Accused persons also took away Rs. 25,000/- from the pocket of the informant during course of assault. Hence, the present case.

Heard rival submission of the Ld. counsel on behalf of the accused petitioner and the Ld. Add. P.P. for the State and perused the Case Diary. The present Katihar Nagar P.S. Case No. 179/2026 has been registered U/S 126(2), 127, 119, 308, 115(2), 118(2), 308(3), 122, 303(2), 109, 351(2), 3(5) of BNS against the accused persons. The petitioner is the named accused of the FIR but there is general and omnibus allegation made against this petitioner. Although, the injury sustained by injured Puspesh Kumar Bhagat is grievous in nature but the said injury is not on any vital part of his body rather the injury is fracture proximal thumb of right hand. Moreover, another co-accused persons have also been granted regular bail by this court. Petitioner is in judicial custody since 09.04.2026 and he is also ready to cooperate during course of investigation and trial of this case.

Hence, considering the above facts and circumstances as well as the period of custody, I find it judicious to enlarge the above named accused petitioner on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of like amount each to the satisfaction of the Ld. Court below.

(Sd/-)

(Sunil Kumar Singh-III)
D.A.S.J.- III, Katihar
12.05.2026