

**IN THE COURT OF
DISTRICT & ADDITIONAL SESSIONS JUDGE-I
MUNGER, BIHAR**

Anticipatory Bail Application No. 806 of 2026

Nitish Kumar Vs State of Bihar

Kasim Bazar P.S. Case No. 18 of 2025

Order dated: 14.07.2026

ORDER

14.07.2026

The present Anticipatory Bail Application has been preferred by Petitioner namely **Nitish Kumar** s/o Mahendra Yadav who is apprehension of arrest in connection with Kasim Bazar P.S. Case No. 18 of 2025 under Sections 115(2), 126(2), 351(2), 352, 109 & 3(5) of BNS and under Section 27 of Arms Act pending in the Court of Ld. C.J.M., Munger. Learned Counsel for the Petitioners' is present and Learned Additional Public Prosecutor on behalf of the State is also present.

As per the Bail Application, it is submitted that the Petitioner is innocent and he has not committed any offence and falsely implicated in this case. He further submits that injuries of injured persons are simple in nature and caused by hard and blunt substance and no any khokha and cartridges were recovered from the place of occurrence. The alleged offence are bailable except under Section 109/3(5) of BNS and under Section 27 of Arms Act. No specific allegation that who put the butt over the head of injured persons and no any injury was inflicted through fire arms over the informant. The co-accused persons granted bail earlier by this Court and the Petitioner's case stands better footing. In para-2 of the Application, it is certified that the Petitioner has not previously filed any Bail Application before this Court or before Hon'ble High Court of Patna. The Petitioner have one criminal antecedent. The Petitioner is ready to furnish the bail bond and he is also ready to comply with direction of this Court. Hence, it is prayed to enlarge the Petitioner on Anticipatory Bail.

Learned Additional Public Prosecutor on behalf of the State vehemently opposed the present Bail Application

As per the written statement of the Informant, the case of the prosecution is that the Informant namely Kundan Kumar stated that on

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23.01.2025 at about 08.30 P.M. the petitioner along with other co-accused persons came to the house of informant and started abusing and beating him when he protested it, they entered into his house and started teasing the ladies of his family. It has further been alleged that the brother of the informant namely Prince Kumar has been assaulted by co-accused Rishabh Kumar and Ranjeet Yadav with butt of pistol due to which he got injury on his head and blood was oozing and when his brother Raushan Kumar came to save him the co-accused **Nitish Kumar (Petitioner)** and Golu Kumar assaulted him with pistol on his head due to which he also got injury on his head.

Heard both sides and perused the records.

From the perusal of the case record, it is clear that the Petitioner is named in FIR along with others and there is allegation against the Petitioner is that the Petitioner along with other have assaulted the Informant and his younger brother with pistol butt and as a result of it, they got head injuries. All prosecution witnesses in paras-2, 5 & 6 of the case diary have supported the case of prosecution. Paras-57 & 58 of the case diary contained injury report of injured persons namely Prince Kumar and Roshan Kumar in which doctor has opined injuries are simple in nature caused by hard and blunt substance. Para-34 of the case diary contained one criminal antecedent against the Petitioner additionally this case. Para-7 of the case diary talks about video footage submitted by informant Kundan Kumar to Investigating Officer in which it has been mentioned that co-accused persons are showing pistols in their hands and their mother intervening with others to them. The other co-accused persons granted bail earlier by this Court. This case is still under investigation.

Therefore, considering aforesaid facts and circumstances of the case as discussed above, nature of the allegation, present status of this case, nature of injury, one criminal antecedent against the Petitioner as per para-3 of the bail application and case diary as well as co-accused persons granted bail

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earlier by this Court, I am of the view that the the Petitioner deserves the privilege of Anticipatory Bail.

Accordingly, the prayer of bail of the Petitioner namely **Nitish Kumar** stands **Allowed** with conditions on furnishing bail bonds of Rs.10,000x2/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned with condition that;

1. One bailor will be close relative of the Petitioner who undertakes how he/she is related with the Petitioner.
2. The Petitioner undertakes not to threat the prosecution witnesses after his release and co-operate the police during investigation.
3. Surrender within Twenty (20) days from the receipt of the order to Court below.

Dictated,

Sd/-

District & Addl. Sessions Judge-I, Munger

Dated: 14.07.2026

Date of Order/Judgement	14.07.2026
Uploading Date	23.07.2026
Uploaded By	Neeraj Kumar Pandey (Steno)