

ITEM NO.1

COURT NO.8

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s).140/2026

[Arising out of impugned final judgment and order dated 17-02-2025 in CRM No.80518/2024 passed by the High Court of Judicature at Patna]

NITESH KUMAR

Petitioner

VERSUS

STATE OF BIHAR

Respondent

I.A. No.107251/2026-CONDONATION OF DELAY IN FILING

I.A. No.107254/2026-CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS

I.A. No.107252/2026-EXEMPTION FROM FILING O.T.

Date : 17-04-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) : Mr. Siddhartha Sinha, AOR

For Respondent(s) : Mr. Azmat H. Amanullah, Adv.
Ms. Vanshita Gupta, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Delay condoned.
2. Issue notice, returnable on 18th May, 2026.
3. Mr. Azmat H. Amanullah, learned counsel accepts notice on behalf of the State of Bihar. Service of formal notice on the State, thus, stands dispensed with.
4. Respondent-State of Bihar may file its counter affidavit within two weeks. Such affidavit ought to include, *inter alia*, the following particulars:

(i) chargesheet, if filed;

- (ii) number of witnesses proposed to be examined by the prosecution;
- (iii) whether charge is framed or not;
- (iv) if the charge has not been framed, the reason therefor;
- (v) if the trial has commenced, the number of witnesses examined;
- (vi) criminal antecedents of the petitioner;
- (vii) whether any co-accused is enlarged on bail; and
- (viii) any other information relevant for a decision on the special leave petition.

5. Rejoinder thereto, if any, be filed within a week thereafter.

(RASHMI DHYANI PANT)
ASST. REGISTRAR-CUM-PS

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)