

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67632 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- GANGABRIDGE District- Vaishali

Rohit Kumar @ Pagala Son of Sanjay Ray @ Sanjay Singh Residence of
village- Bhairapur PS- Bidupur District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan, Adv
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gangabridge P.S. Case No. 68 of 2024 dated 05.04.2024 registered for the offences punishable u/s 399, 402, 414, 120B of the Indian Penal Code and Section 25(1-B) (a), 26 and 35 of the Arms Act.

3. As per the prosecution case, one country made pistol, one live cartridge and one motorcycle without number were recovered from the possession of the co-accused Kaushal Kumar Shyam. On being asked, he did not produce any valid paper regarding the said vehicle and disclosed the name of his associate, namely, Saurav @ Bahubali who is in judicial custody



in Nepal jail and he used to talk with Saurav on the mobile number i.e. 9779827600547. At the instance of the co-accused Saurav @ Bahubali, the co-accused Kaushal Kumar Yadav was planning to commit robbery on 25.03.2024 but due to patrolling the same was not done. Thereafter, on 30.03.2024 he was making preparation to loot in Axis Bank on 04.04.2024 but on 03.04.2024 his associates namely Priyanshu Raj and Rohit Kumar (petitioner) were arrested in Darbhanga district and a desi katta, bullets and a motorcycle were recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner was disclosed by the co-accused Kaushal Kumar Yadav. It is further submitted that the petitioner was not present at the place of occurrence, as the petitioner is in judicial custody since 03.04.2024 in Bahera P.S. Case no. 124 of 2024. It is further submitted that the petitioner has no concern with the alleged occurrence. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has five antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 15.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case and the nature of allegation levelled against the petitioner as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Gangabridge P.S. Case No. 68 of 2024, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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