

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84482 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

ROHIT KUMAR S/O MOTI PASWAN R/O VILLAGE- PANAPUR
GAURAH, P.S- HAJIPUR SADAR, DISTT.- VAISHALI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Adv

For the Opposite Party/s : Mr. Ajay Kumar No. 2 APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Hajipur Sadar P.S. Case No. 147 of 2023 registered on
06.03.2023 lodged under Sections 147/148/149/353/34 of the
I.P.C. read with section 27 of the Arms Act and Section 3/4 of the
Explosive Substance Act.

3. As per the prosecution case, F.I.R. has been lodged
against five named accused persons. The allegation against the
petitioner is that he came in contact with the police party and
started firing upon them with the help of other accused persons.
One pistol and other articles were recovered which come under
the Explosives Substance Act.

4. Counsel further submits that petitioner is innocent



and has committed no offence. He further submits that petitioner is in custody since 11.10.2023 having clean antecedent. He further submits that one of the co-accused have been granted bail by co-ordinate Bench of this Court vide order dated 11.08.2023. passed in Cr. Misc. No. 50629 of 2023.

5. Learned counsel for the State opposes the prayer for bail.

6. Upon specific query made by this Court that whether charge has been framed or not, counsel for the petitioner submits that he is not aware of this fact that charge has been framed or not.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner at present. However, liberty is hereby granted to the petitioner to renew his prayer for bail after framing of charge and the Trial Court is directed to release the petitioner on bail imposing its own conditions, so that he may not evade his appearance during trial.

(Dr. Anshuman, J)

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