

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9714 of 2025

Arising Out of PS. Case No.-90 Year-2024 Thana- NAYAGAON District- Saran

Rohit Kumar, aged about 22 years, Male, son of Brajesh Kumar Singh,
resident of Village- Sitabganj, Police Station- Nayagaon in the District of
Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Nayagaon PS Case No.90 of 2024 dated 26.05.2024, instituted
under Sections 379, 456 of the Indian Penal Code.

3. The prosecution case, in brief, is that the mobile of
the informant was snatched by two unknown criminals.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. FIR has been lodged against unknown. Only on the basis
of confessional statement of co-accused, petitioner has been
made accused in this case. Nothing has been recovered either
from the possession or from the house of the petitioner. It is also



submitted that co-accused Rakesh Kumar has been granted bail. Lastly, it is submitted that the petitioner has one criminal case pending against him.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saran at Chapra, in Nayagaon PS Case No.90 of 2024, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023, and further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present



case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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