

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11901 of 2025

Arising Out of PS. Case No.-266 Year-2024 Thana- KATORIYA District- Banka

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Rohit Sah @ Rohit Kr. S/o- Phulchand Sah @ Fulchand Sah @ Fhulchan Sah
Resident of Village- Suriya Jhajha, Ps- Katoriya, Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 10-07-2025 Heard Mr. Praveen Kumar, the learned counsel

appearing on behalf of the petitioner and the learned A.P.P. for

the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 103(1), 109(1), 351(2) and
3(5) of B.N.S.

3. As per the prosecution case, the informant has
alleged that the named accused persons including the petitioner
assembled and started abusing the informant and others and on
protest, it is alleged that the petitioner along with one lady,
namely, Mila Devi and her father and mother thrashed her
husband and thereafter it is alleged that one Niranjana Yadav gave
knife blow upon the abdomen of the husband of the informant
as well as the elder brother of her husband, namely, Manoj
Yadav. It is further alleged that the two injured persons were



taken to the hospital for treatment, however, during the course of treatment, husband of the informant died while Manoj Yadav sustained grievous injuries.

4. Learned counsel for the petitioner further submits that though the petitioner has been named in this case, however, there is no specific allegation of overt act against him and the injuries inflicted upon the deceased as well as the injured Manoj Yadav is attributed to one Niranjana Yadav. Learned counsel further submits that from plain reading of the FIR, it would be evident that the story is concocted and the lady and co-accused persons have also been alleged to have thrash the husband of the informant. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 04.11.2024.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that petitioner is a named accused person and he is accused of killing the husband of the informant and causing grievous injury to other.

6. Considering the aforesaid submissions made by the parties and taking account that the nature of allegation is general and omnibus and specific attribution to other co-accused, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where



the case is pending/successor court in connection Banka P.S. Case No. 266 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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