

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36903 of 2025

Arising Out of PS. Case No.-388 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Rohit Kumar @ Rohit Kumar Jha S/O Khelari Jha R/O Village- Dhakajari,
P.S- Mansoorchak, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy
For the Opposite Party/s : Mr.Satyendra Prasad

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

ORAL ORDER

2 12-08-2025 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 Samastipur Mufassil P.S. Case No. 388/2024 dated 23.09.2024 registered for the offence punishable u/s 109, 115(2), 126(2) read with Section 3(5) of the B.N.S. and Section 25(1-B)(a), 26, 27 and 35 of the Arms Act.

3. As per the prosecution case, when the informant was standing at a shop, three miscreants came and one miscreant fired on the informant but he got saved. Thereafter, the informant caught hold of the one miscreant but the other miscreants managed to flee away. During the course of scuffle,



the miscreant fired another shot on the informant which hit the back of his head on the left side. In the meantime, nearby people gathered there and started assaulting the apprehended person. Thereafter, police came and on search, one pistol, two live cartridges and a motorcycle were recovered from the apprehended person who disclosed his name as Murari Kumar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused, Murari Kumar, who has already been granted regular bail by this Court vide order dated 05.05.2025 passed in Cr. Misc. No. 20656 of 2025. Nothing has been recovered from the conscious possession of the petitioner and he has no concern with the alleged occurrence. The petitioner has two criminal antecedents in which he is on bail in both cases as stated in para 3 of the bail petition. The petitioner is in custody since 03.01.2025.

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 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, Samastipur in connection with Samastipur Mufassil P.S. Case No. 388/2024, with the condition ;-

(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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