

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20573 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- RAGHUNATHPUR District- Siwan

Rohit Kumar Sharma Son of Ayodhya Shrama Resident of village- Saderpur
PS -Barharia Dist - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dharmveer, Advocate
		Mrs. Priyadarshani Kumari, Advocate
For the Opposite Party/s	:	Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Raghunathpur P.S. Case No. 321 of 2024 registered for the alleged offences under Sections 317(4), 317(5), 338, 336(3) of B.N.S. and Sections 25(1-b)a/26/35 of the Arms Act.

3. As per prosecution case, during checking of vehicle four persons riding two motorcycle tried to flee away on seeing the police party by taking U-turn. The miscreants fell down as the motorcycle went out of control and all the four persons tried to escape. But the petitioner was apprehended and three co-accused persons fled away from the spot whose names were,



later on, disclosed by this petitioner. From possession of the petitioner, recovery of country made katta loaded with live cartridge was made. The motorcycle driven by the co-accused persons were stated to be stolen motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of the petitioner and the recovery shown is planted. There is no independent witness to the seizure list. The petitioner has been made accused in this case because of his earlier antecedent as he is accused in three cases and he is on bail in all the three cases. The petitioner is in custody since 28.11.2024 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of charge sheet and period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Siwan/concerned Court in



connection with Raghunathpur P.S. Case No. 321 of 2024,
subject to the conditions mentioned in Section 480(3) of
B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close
relative of the petitioner.
- (ii) The petitioner will remain present
on each and every date fixed by the
court below.
- (iii) In case of absence on three
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.

(Arun Kumar Jha, J)

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