

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24045 of 2025

Arising Out of PS. Case No.-105 Year-2024 Thana- GURARU District- Gaya

Rohit Kumar @ Chhotu, aged about 26 years, Male, S/O Late Dargahi Manjhi, R/O Village- Bangali Bigha, P.S- Chandauti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 01-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in a case registered for the offence punishable under Section 397 of the Indian Penal Code and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per allegation in the FIR, the informant and his family members were sleeping in their house and in the meantime, some unknown dacoits entered in his house with arms and committed rapine and on protest, they assaulted to his relative, due to which, he sustained head injury and course of scuffle, one dacoit was caught by his relative and rest fled away.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next



submits that petitioner was not caught on the spot and no any incriminating article has been recovered from his conscious possession or house of the petitioner. Petitioner has got clean antecedent and he is in custody since 22.06.2024, no test identification parade has been done, investigation has already been concluded and chargesheet has already been submitted.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the fact that petitioner is in custody for about ten months and similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court passed in Cr. Misc. No. 78707 of 2024, so I am inclined to grant bail to the petitioner.

7. Accordingly, let the above named petitioner 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 learned ACJM-X, Gaya in connection with Guraru P.S. Case No.105 of 2024.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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