

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30407 of 2025

Arising Out of PS. Case No.-404 Year-2024 Thana- NASRIGANJ District- Rohtas

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Manish Kumar, Son of Late Rang Bahadur Singh @ Late Raj Bahadur Singh,
Resident of Village - Sikraiyam, P.S.- Karakat, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tiwari Shwetketu, Adv.
Mr. Akhouri Vipin Bihari Shrivastava, Adv.
For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 13-08-2025 Heard Mr. Tiwari Shwetketu, learned counsel for the

petitioner and Mr. Abhay Kumar, learned APP for the State.

2. The petitioner seeks regular bail in connection with
Nasariganj P.S. Case No. 404 of 2024, dated 01.12.2024,
registered for the offence(s) punishable under Section 311 of the
B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution story, on 01.12.2024 at
about 10:15 P.M., a Dzire car arrived at the ghat premises.
About five unknown miscreants alighted from the said vehicle
and began indiscriminate firing near the ghat office with rifles
and pistols. In the course of firing, they caused damage to the



office computer and to the CCTV camera installed therein. At pistol point, the miscreants threatened the truck driver and forcibly snatched about Rs. 1 lakh from challan collections. They also assaulted the staff members and looted approximately Rs. 5 lakhs kept on the counter, one HP Laptop, one Realme mobile phone, a gold chain and other articles. Several empty cartridges were found scattered.

4. The main submissions advanced by the petitioner's counsel are that the alleged offence under Section 311 of the B.N.S. is not attracted in this matter under which the FIR has been registered, as per the allegation, the accused persons opened fire while committing the loot, but it has not been specified against whom such attempt was made, the seizure list of the alleged cartridges which are said to have been recovered from the alleged place of occurrence was prepared four days after the incident, the petitioner was not put on test identification parade and is completely innocent, having been falsely implicated by the police. It is further submitted that the petitioner has been languishing in jail since 04.01.2025 in the present matter. It is lastly submitted that as per the FIR, the actual number of the miscreants was not revealed and the same is said to be about five which is not sufficient to attract the



offence of dacoity.

5. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

6. Heard both the sides and perused the FIR, case diary and the trial court's order. As per the allegation, around five miscreants came to the alleged office of Jai Maa Tarani (Baba Ghat), B.D. Enterprises in a Dzire vehicle, damaged CCTV camera snatched one lakh rupees from a truck driver present at the said office and also took away Rs. 5,00,000/-, a laptop, a mobile phone and other articles from the office. As per the FIR, several cartridges were recovered from the place of occurrence and the accused persons indiscriminately fired while committing the offences. As per the self statement of an Assistant Sub-Inspector, from the house of this petitioner several firearms were recovered regarding which another P.S. Case No. Karakat P.S. Case No. 625 of 2024 was registered. Considering these aspects and also the fact that the supplementary investigation is still running, this court is not inclined to release the petitioner on bail. Accordingly, his prayer for bail **stands rejected**.

7. As the petitioner has been languishing in jail since 04.01.2025, trial court is directed to expedite the trial of the



petitioner.

(Shailendra Singh, J)

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