

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33180 of 2025

Arising Out of PS. Case No.-1651 Year-2024 Thana- PHULWARISHARIF District- Patna

Rohit Kumar, S/O Late Bachhu Rai, R/O-Isopur Gwal Toli, PS-
Phulwarisharif, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Ruchi, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Phulwari Sharif P.S. Case No. 1651 of 2024 registered on 24.10.2024 for the offences under Sections 103(1) and 3(5) of the B.N.S and Section 27 of the Arms Act.

3. As per prosecution case, son of the informant was shot dead by three persons and the name of the petitioner transpired during investigation for also being involved in the said occurrence.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no involvement in the murder of the son of the informant. He has been apprehended merely on suspicion. Petitioner has been



made accused in this case on the basis of his confessional statement as well as confessional statement of co-accused Harsh Kumar but the said confessional statements have no legal sanctity. Nothing incriminating has been recovered from the person or possession of the petitioner or at his instance. There is no material to connect the petitioner with the offence as alleged except the confessional statement. Similarly placed co-accused namely, Rocky Kumar has been granted anticipatory bail vide order dated 09.07.2025 passed in Cr. Misc. No. 19720 of 2025 and Harsh Kumar has been granted regular bail vide order dated 08.08.2025 passed in Cr. Misc. No. 28678 of 2025 by a Co-ordinate Bench of this Court. Petitioner is in custody since 27.11.2024 and charge-sheet has been submitted. Petitioner is having antecedent of one case.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned APP submits that the name of the petitioner transpired in this case during investigation for being involved in the murder of the son of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the remote, vague and doubtful nature of allegation against the petitioner and further considering grant of bail to similarly



placed co-accused persons and also considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned ACJM-IV, Patna/concerned court in connection with Phulwari Sharif P.S. Case No. 1651 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other 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)

balmukund/-

U		T	
---	--	---	--

