

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33112 of 2025**

Arising Out of PS. Case No.-234 Year-2024 Thana- DUMARIAGHAT District- East
Champaran

Rajesh Pandit S/O Jagdish Pandit Resident of Village-Jamla (Suraha), Police
Station- Muffasil (Motihari), District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Dumariyaghat P.S. Case No. 234 of 2024 instituted for the
offences under Section 309(4) of the BNS.

3. Prosecution case, in short, is that, three-four
unknown miscreants intercepted the informant and looted his
truck loaded with Pan Masala and fled away.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case due
to prior business enmity. Petitioner is not named in the F.I.R.
The name of the petitioner transpired in this case on the basis of



confessional statement of the co-accused Sajid Tyagi and Vikash Kumar. Learned counsel further submitted that there is a delay of five days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that petitioner has got no concern with the looted truck or the goods loaded. It has been submitted on behalf of the petitioner that the petitioner has two criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP for the State submitted that vide order dated 29.04.2025 passed in Cr. Misc. No. 8241 of 2025, the prayer for grant of regular bail to the co-accused person has already been rejected by this Court.

6. Considering the aforesaid facts and circumstances of the case as also the nature of accusation, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. However, liberty is granted to the petitioner to surrender before the learned court below within a period of six weeks and seek regular bail. If any such application is filed



before the learned court below, the court concerned shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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