

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40070 of 2025

Arising Out of PS. Case No.-25 Year-2025 Thana- NIMCHAKBATHANI District- Gaya

Birendra Rajvanshi @ Birendra Ram S/O Kuldip Ram @ Kuldip Mater @
Kuldip Matter@ Kuldip Master R/O Village- Jagjiwanpur, PS- Neemchak
Bathani, Distt-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate
For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seek bail in connection with Sessions
Trial No. 457 of 2025, arising out of Neemchak Bathani P.S.
Case No. 25 of 2025 instituted for the offences under Sections
126(2), 115(2), 103(1), 132, 125(a), 352, 3(5) of the Bharatiya
Nyaya Sanhita, 2023.

3. Prosecution story, in short, is that, on the alleged
date and time after an ambulance accident, the accused persons
including the petitioner chased and brutally assaulted the driver
and EMT staff Kundan Kumar as a result of which, Kundan
Kumar died.



4. Learned counsel for the petitioner submitted that petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that the reason behind the occurrence is that the driver was driving the ambulance rashly and negligently. It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.01.2025 and has no criminal antecedent. The co-accused person has already been granted bail by a coordinate Bench of this Court vide order dated 16.05.2025 passed in Cr. Misc. No. 30551 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Sessions Trial No.



457 of 2025, arising out of Neemchak Bathani P.S. Case No. 25
of 2025.

Alok Verma/-
(Rudra Prakash Mishra, J)

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

