

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43805 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- AMAS District- Gaya

Rohan Chandra Vanshi @ Rohan Kumar, S/o Gopal Chandra Vanshi @ Gopal Prasad Chandra Vanshi, R/o village-Mubarakganj, P.S.-Sasaram Town, Distt.-Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-08-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with Amas P.S. Case No.233 of 2024 registered for the offences punishable under Sections 111, 109, 61(2) read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.') as well as Sections 25(1-B)a, 26, 35 and 27 of the Arms Act.

3. The accused/petitioner is not named in the FIR and is in custody since 25.11.2024.

4. As per FIR, an occurrence of firing took place in Sherghati court campus while one accused



Arman Khan@ Armanullah Khan @ Photo Khan was produced in court.

5. It is submitted by learned counsel appearing for the petitioner that petitioner was not named in FIR and his name transpired during investigation on the basis of confessional statement of co-accused Md. Shahbaz Khan @ Shahbaz @ Shahbaz Khan. It is pointed out that on the basis of said confession, no incriminating material recovered/surfaced as to connect petitioner *prima facie* with present crime in question. It is pointed out that said co-accused Md. Shahbaz Khan @ Shahbaz @ Shahbaz Khan has already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.4930 of 2025 dated 19.04.2025. It is also pointed out that petitioner has not been put on T.I.P. as yet.

6. While concluding argument, it is submitted that one of the reasons for implication of this petitioner is suspicion arising out of his criminal antecedent, as he found involved in eight



more criminal cases, where he is on bail in six cases and in maximum of cases, his name transpired on the basis of confessional statement of co-accused as of present case, having no evidentiary value under law.

7. Learned APP opposed the prayer for grant of bail to the petitioner.

8. In view of aforesaid factual submissions and by taking note of fact as except suspicion arising out of confessional statement of co-accused, nothing incriminating appears against petitioner during investigation as to suggest his involvement *qua* crime in question, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 25.11.2024, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-III, Sherghati, Gaya in S.T. No.354 of 2025 arising out of Amas P.S. Case



No.233 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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