

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44741 of 2025

Arising Out of PS. Case No.-712 Year-2024 Thana- GARDANIBAG District- Patna

Rohit Kumar @ Rohit Priyadarshi S/O Vijay Kumar Singh R/O Village-
Maharana Pratap Nagar, P.S- Aurnagabad, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saket Anand, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-07-2025 Heard Saket Anand, learned counsel for the petitioner
and Mr. Bhanu Pratap Singh, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Gardanibagh P.S. Case No. 712 of 2024, F.I.R. dated 23.12.2024 registered for the offences punishable under Sections 191(2), 195(2), 223, 132, 62(2) of BNS, 2023 and Sections 66(c)/66(D) of IT Act.

3. Allegation against the petitioner is that he along with other co-accused persons instigated the candidates of BPSC and thereafter the candidates assaulted the used criminal force to deter public servant from discharge of his duty and destroyed the glasses of the door of Government Hospital.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the



present case. In fact, the petitioner was admitted in Hospital with respect to another case vide Sachivalaya P.S. Case No. 196 of 2024 and medical report of the petitioner suggests that on the date of occurrence in the present F.I.R. the petitioner was in Hospital (Annexure-3) and he has been made accused merely on the ground that the petitioner was involved in the protest against BPSC.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner carries one more case other than the present one.

6. Considering the facts and circumstances of the case and the fact that on the date of occurrence the petitioner was in Hospital (Annexure-3) and he has been discharged from the Hospital in question on 27.12.2024, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Patna Sadar, Patna in connection with Gardanibagh P.S. Case No. 712 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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