

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47845 of 2025

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

Hira Rajwanshi Son of Mohan Rajwanshi Resident Of Village- Dhakani Ps
-Neemchak Bathani District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rabia Gulnaz, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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

ORAL ORDER

2 11-07-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Neemchak Bathani P.S. Case No. 25 of 2025, instituted for the
offences punishable under Sections 1126(2), 115(2), 103(1),
132, 125(a), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, 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 submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. Learned counsel for



the petitioner also submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. It is next submitted that the reason behind the occurrence is that the driver was driving the ambulance rashly and negligently. The petitioner is in custody since 04.02.2025 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 02.07.2025 passed in Cr. Misc. No. 40070 of 2025.

5. Learned APP 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 and taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Neemchak Bathani P.S. Case No. 25 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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