

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51061 of 2025

Arising Out of PS. Case No.-261 Year-2025 Thana- MOHANIYA District- Kaimur (Bhabua)

Rohit Kumar @ Golu S/o Subash Singh Resident of Village- Mahuli, P.S.-
Bikramganj, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay, Adv

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable u/s 109(1) and 3(5) of the B.N.S. and under Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner along with two unknown miscreants came in front of the informant's house and started firing in the air and also threatened the informant. On being chased by the villagers, all the accused persons fled away, leaving behind their motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no allegation of firing against the petitioner, however, the specific allegation of firing is against one Vivek Kumar Singh @ Chottu. It is lastly



submitted that the petitioner has clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that one empty cartridge along with the said motorcycle was recovered and during the course of investigation, it was found that the said recovered motorcycle belongs to the petitioner, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid facts and circumstances of the case and also considering the fact that the petitioner has clean antecedent, let the above named petitioner, in the event of his arrest/surrender within a period of four weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur, Bhabua, in connection with Mohania P.S. Case No. 261 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.), with further condition/s:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two



consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

(v) The learned 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 the same or in the name of verification.

7. This application stands allowed.

(Sourendra Pandey, J)

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