

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57406 of 2025

Arising Out of PS. Case No.-746 Year-2023 Thana- BARACHATTI District- Gaya

Rohit Kumar @ Rohit Mama @ Akash Kumar S/O Parmatna Singh @
Parmatama Singh R/O Vill.- Abhaypur, Dhandhar, P.S.- Atri, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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

ORAL ORDER

3 18-09-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Barachatti P.S. Case No. 746 of 2023, instituted for the offences
punishable under Section 394 of the Indian Penal Code.

3. The prosecution case, in short, is that three
unknown miscreants looted Rs. 1,78,000/- from Petrol Pump.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. Learned counsel for the petitioner
also submits that the petitioner is not named in the FIR. Name



of the petitioner has transpired in this case on the basis of confessional statement made by co-accused persons and the same has got no evidentiary value. It is next submitted that as per allegation, one loaded pistol and cash of Rs. 10,000/- have been recovered from the rented house of the petitioner which is a false allegation and thereafter, a separate case was instituted by police as Muffasil P.S. Case No. 929 of 2023. The petitioner is in custody since 26.05.2025 and has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that other co-accused has been granted regular bail by this Court vide order dated 22.04.2024 passed in Cr. Misc. No. 30286 of 2024.

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 ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court



in connection with Barachatti P.S. Case No. 746 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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