

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69590 of 2025

Arising Out of PS. Case No.-703 Year-2024 Thana- BIDUPUR District- Vaishali

Rohit Kumar S/O Dev Kumar Paswan @ Dev Kumar R/O Ward No. 7,
Pakauli (Rajasan), P.S.- Bidupur, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar.

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 24-09-2025 Heard Mr. Ranjit Kumar Thakur, learned counsel for

the petitioner and Mr. Mithlesh Kumar Khare, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Bidupur P.S. Case No. 703 of 2024 for the offence under Sections 310(4), 310(5) of the BNS and under Section 25(1-B)a, 26, 35 of the Arms Act, lodged on 03.11.2024 by the informant.

3. As per the prosecution case, the police personnel, on getting secret information that some miscreants are planning to commit crime, arrived at Daudnagar near Panchayat Bhawan and apprehended three miscreants, namely, Munna Kumar, Ajit Kumar and Monu Kumar while two other miscreants succeeded in their escape. The police also recovered one country made pistol loaded with cartridge and one live cartridge from Munna Kumar.



Accordingly, the FIR.

4. Learned counsel for the petitioners submits that the petitioner has falsely been implicated in this case and his name has surfaced in this case on the basis of confessional statement made by a co-accused, namely, Munna Kumar from whose conscious possession, the police has recovered one country made pistol loaded with cartridge and one live cartridge whereas nothing incriminating has been recovered from the conscious possession of the petitioner or from his premises. It has next been submitted that the petitioner is a co-villager of said Munna Kumar and due to village politics, the petitioner has been implicated in this case by Munna Kumar. The petitioner is a student, belongs to a poor family and has got no criminal antecedent.

5. On the other hand, learned APP vehemently opposes the prayer for anticipatory bail of the petitioner submitting that the petitioner has been named by his accomplice, Munna Kumar and his involvement cannot be ruled out.

6. Considering the aforesaid submissions of the parties and the fact that nothing incriminating has been recovered from the conscious possession of the petitioner or from his premises, he is a student and does not have any criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail,



in the event of arrest or surrender within a period of four weeks, from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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