

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65635 of 2025

Arising Out of PS. Case No.-35 Year-2024 Thana- VAINI District- Samastipur

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Ankit Kumar S/O Late Ganesh Kumar Singh @ Ganesh Prasad Singh
Resident of Village- Adharpur, P.S- samastipur Muffasil, District- Samastipur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra, Adv.

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Waini
P.S. Case No. 35 of 2024 instituted for the offences under
Sections 126(2), 115(2), 109(1), 352, 351(2), 3(5) of the B.N.S.
and Section 27 of the Arms Act.

3. As per prosecution case, when the Informant and his
mother were going to *Haat* on motorcycle to sell vegetable, they
were waylaid by five motorcycle borne culprits. It is alleged that
one of the culprits namely Rohit Ranjan Kumar fired gun shot
but, no one sustained any gun-shot injury as the same hit the
tank of the motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case with false and frivolous allegations. The petitioner



has not committed any offence as alleged in the F.I.R. The petitioner is not named in the F.I.R. and his name has transpired in this case during investigation. He further submits that nothing incriminating has been recovered from the conscious/physical possession of the petitioner. Learned counsel for the petitioner submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation of firing is against the co-accused Rohit Ranjan Kumar and none of the other unidentified persons are said to be involved in the alleged firing. The petitioner has five criminal antecedents and is languishing in judicial custody since 29.05.2025 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused namely Babloo Kumar and Bhola Kumar have been granted bail by this Court vide orders both dated 27.02.2025 passed in Cr. Misc. Nos. 84408 of 2024 and 84537 of 2024 respectively.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature.



7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, there being no specific allegation of any overt act against the petitioner as also the prayer for bail being based on parity, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Waini P.S. Case No. 35 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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