

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72451 of 2025

Arising Out of PS. Case No.-116 Year-2025 Thana- KOILWAR District- Bhojpur

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Rohit Kumar @ Rohit Yadav Son of Ram Ratan Yadav @ Ramratan Prasad
Yadav R/O Vill -Barahkurba @ Brhakurwa, Ward no. 6, P.S. -Simri
Bakhtiyarpur, Dist. - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 11-11-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Koilwar P.S. Case No. 116 of 2025 registered for the
offences punishable under Sections 308(2), 308(3), 316(5) and
3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 14.01.2025 at Toll Plaza, Kulharia, constable,



Rohit (petitioner) extorted Rs. 1,24,000/- illegally from the owner and driver of the truck by putting them in fear of being arrested by the Mines Department and District Transport Department, further the owner of the truck informed the informant who is President, Bhojpur Truck Owners' Association, that Rs. 1 Lakh was taken through scanner and Rs. 24,000/- in cash, further on 03.02.2025, an application through e-mail was sent to the SHO, Koilwar, but no action was taken, further the money through scanner was credited in the account of Hakikat Kumar and Seema Kumari, next alleges that DTO and Motor Vehicle Inspector may also be involved in the occurrence.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant, it is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the date of occurrence is 14.01.2025 and the FIR came to be instituted on 30.04.2025. It is next submitted that in the FIR, the number of the truck is recorded as BR-05-GD-7161 in the name of Ankit Kumar, but during the course of investigation, it transpired that the said truck does not belong to Ankit rather owner of the truck is Vikash. It is further submitted that



petitioner has no concern with Hakikat Kumar and Seema Kumari in whose account, the money was credited.

5. Learned A.P.P. for the State vehemently opposes the anticipatory bail application and submits that petitioner is a constable and he is alleged to have indulged in bribe from the owner of the truck. It is also submitted that from perusal of the allegation as alleged in the FIR, it manifests that a new mean has been devised by corrupt officials to take bribe i.e. by getting the amount credited in account of persons with whom they are not related, but then that is an aspect of investigation. The learned APP further submits that based on suspicion allegation is alleged against the DTO and the Motor Vehicle Inspector also. It is next submitted that whether the truck belonged to Ankit or Vikash is also an aspect of investigation. It is also submitted that if petitioner is innocent, in that event no material would transpire during the course of investigation to connect him with the offence, it is next submitted that investigation is in its nascent stages and from perusal of the allegations as alleged in the FIR, it would manifest that informant specifically alleges that he had e-mailed the SHO, Koilwar on 03.02.2025 with regard to the allegations, but then the FIR was not instituted, but subsequently on 30.04.2025 the FIR was instituted.



6. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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