

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86268 of 2025

Arising Out of PS. Case No.-135 Year-2024 Thana- FALKA District- Katihar

Roshan Kumar @ Raushan Kumar S/o Kapildev Mandal Resident of -
Govindpur Diara, P.S - Falka, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 12-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioners seeks bail in connection with Falka P.S. Case No. 135 of 2024, registered on 23.07.2024 for the alleged offences under Sections 309(4), 109 of BNS, 2023 and Section 27 of the Arms Act.

3. As per prosecution case, two persons asked the informant to stop his motorcycle and when the informant slowed his motorcycle, one person caught his motorcycle from behind and they snatched Rs. 20,000/- from the informant. The also tried to snatch his mobile phone. When the informant identified on of them as co-accused Munna Yadav, the said miscreant shot at the informant and both of them fled away with



the motorcycle of the informant. The name of the petitioners transpired during investigation as being involved in the offence against the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and have been falsely implicated in this case. The informant named co-accused Munna Yadav who was apprehended in course of investigation and in his confessional statement he named the petitioner. Except for the said confessional statement there is nothing against the petitioner as recovered shown from the petitioner is not of looted cash and it is their own money. The petitioner was never put to any Test Identification Parade. The petitioners are in custody since 05.10.2024. The petitioner is having clean antecedent. Earlier, the regular bail of the petitioner was rejected vide order dated 12.05.2025 in Cr. Misc. No. 10624 of 2025 with liberty to the petitioner that he may renew his prayer for bail after completion of one year in custody and one year has been lapsed.

5. Learned APP opposes the prayer for regular bail of the petitioner.

6. Upon perusal of records, it appears that petitioner's regular bail has been rejected vide order dated 12.05.2025 in Cr. Misc. No. 10624 of 2025 and petitioner was granted liberty that



he may renew his prayer for bail after completion of one year in custody and one year has been lapsed. So, considering the aforesaid fact and the materials available on record, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court of District and Additional Sessions Judge-II, Katihar in connection with Falka P.S. Case No. 135 of 2024, subject to the condition that

- One of the bailors will be a close relative of the petitioner.
- The petitioner will remain present on each and every date fixed by the court below
- In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioners will be liable to be cancelled by the court concerned.

(Ramesh Chand Malviya, J)

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