

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1698 of 2025

Arising Out of PS. Case No.-413 Year-2024 Thana- KOILWAR District- Bhojpur

Rohit Kumar @ Amit Kumar @ Manjhi S/O Sudama Rai R/O vill.- Harhangi
Tola, Daulatpur, P.S- Koilwar, Dist.- Bhojpur at Ara Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 09-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Koilwar P.S. Case No. 413 of 2024 registered for the offences under Sections 308(4), 118(1), 118(2), 109, 351(2)(3) & 3(5) of BNS and Section 27 of the Arms Act.

3. In the FIR it has been alleged that two unknown persons on a motorcycle had fired upon the father of the informant resulting in one injury being caused to the father of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The FIR was registered against unknown persons and the name of the petitioner has subsequently surfaced in the



statement of the injured father of the informant who had named Raushan Kumar and the present petitioner to be involved in the said incident. The learned counsel has further submitted that the alleged call demanding ransom was being made from a mobile belonging to Nirala Yadav and which was being used by one Gautam Kumar. He has also pointed out that during the course of investigation it has come that one Munna Kumar had given effect to the occurrence. It has lastly been submitted that the similarly situated co-accused Raushan Kumar has been granted bail by a coordinate Bench of this Court *vide* order dated 15.04.2025 passed in Cr. Misc. no. 10254 of 2025. Learned counsel has submitted that petitioner is in custody since 14.10.2024 and has clean antecedent.

5. The learned Additional Public Prosecutor for the State has opposed the prayer for bail.

6. Considering the aforesaid submissions made by the parties and the allegations in the FIR it transpires that the petitioner was not named and his name has surfaced in the statement of the injured along with one Raushan Kumar who has been enlarged on bail by a Coordinate Bench of this Court and also taking into account that no recovery has been made from the petitioner, let the petitioner, above named, be enlarged



on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection Koilwar P.S. Case No. 413 of 2024 subject to the conditions that

- a. One of the bailors of the petitioner shall be her close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(Sourendra Pandey, J)

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