

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12752 of 2026

Arising Out of PS. Case No.-28 Year-2025 Thana- BHADAUR District- Patna

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Rohit Kumar S/o- Dharmveer Singh R/Vill- Bakawan PS- Bhadaur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Richa, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 01-05-2026 Heard Ms. Richa, learned counsel for the petitioner and Mr. Shailendra Kumar Singh, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 13.11.2025 in connection with Bhadaur P.S. Case No. 28 of 2025, F.I.R. dated 12.03.2025 for the offences punishable under Sections 109(1), 61(2) and 3(5) of the BNS, 2023 and Section 27 of the Arms Act.

3. According to prosecution case, all the accused persons including this petitioner have fired indiscriminately upon the informant and his nephew due to which the informant sustained gunshot injury.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case. She further submits that although the petitioner is named in the FIR but from perusal of the FIR it appears that there is no specific allegation against the petitioner that he has fired upon the victim/informant. She further submits that the statement of victim/informant has been recorded in paragraph no. 112 of the case diary in which he has stated that the petitioner and other accused persons have fired upon him but he has not specifically stated the name of the petitioner that he has fired upon him. She further submits although the injury report of the injured person suggest that the injury is grievous in nature but the informant himself has not stated anything about the petitioner. She further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 13.11.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and apart from that the petitioner carries two criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Barh in connection with Bhadur P.S. Case No. 28 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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