

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26786 of 2026

Arising Out of PS. Case No.-100 Year-2022 Thana- ROSHANGANJ District- Gaya

Amresh Kumar @ Latan Kumar @ Latan Yadav Son of Santosh Yadav
Resident of Village- Lemboiya, P.S.- Roushanganj, District- Gaya Jee

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-04-2026 Heard Md. Javed Jafar Khan, learned counsel for the

petitioner and Mr. Murli Dhar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Roshanganj P.S. Case No. 100 of 2022, F.I.R. dated 15.05.2022 for the offences punishable under Sections 427, 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, during the construction work of bridge under *Pradhan Mantri Gram Sadak Yojana* for the route *Lemboiya* to *Pananniya*, two motorcycle riders set one JCB machine on fire and also shot helper Pintu Kumar.

4. Learned counsel for the petitioner submits that



petitioner is innocent and he has falsely been implicated in the present case. Learned counsel submits that initially the petitioner was not named in the FIR, the name of the petitioner has transpired during investigation on the basis of the confessional statement of the co-accused person, namely, Chotu Chaudhary @ Dhananjay Choudhary and except the confessional statement of the co-accused person there is nothing against the petitioner which suggests the involvement of the petitioner in the alleged occurrence. The other co-accused person, namely, Sunil Kumar whose name was also transpired on the basis of confessional statement has been granted bail by the co-ordinate bench of this Hon'ble court vide order dated 02.05.2025 passed in Cr. Misc. No. 8327/2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances and the fact that the co-accused person has been granted anticipatory bail by the co-ordinate bench of this Hon'ble Court,



let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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-I Class, Sherghati, Gaya in connection with Roshanganj P.S. Case No. 100 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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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