

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22232 of 2026

Arising Out of PS. Case No.-230 Year-2025 Thana- DARIGAON District- Rohtas

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1. Vicky Kumar S/o Naresh Sah @ Naresh Sah Gupta R/o Village - Bhadokhra,
P.S - Darigaon, District - Rohtas
 2. Rohit Kumar S/o Naresh Sah @ Naresh Sah Gupta R/o Village - Bhadokhra,
P.S - Darigaon, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar Upadhyaya, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-07-2026 After some arguments, learned counsel for the petitioners seeks permission to withdraw this application with respect to petitioner No.1, namely, Vicky Kumar with liberty to the petitioner to surrender before the learned court below within a period of four weeks from today and seek regular bail.

2. Permission is accorded.

3. The application is dismissed as withdrawn with respect to petitioner No.1, namely, Vicky Kumar with the liberty that the petitioner surrenders and seeks regular bail before the learned court below, the same shall be considered on the same day on its own merit in accordance with law and without being prejudiced by any observation in the present order.



4. Heard Mr. Ashutosh Kumar Upadhyaya, learned counsel for the petitioner No.2, namely, Rohit Kumar and Mr. Prem Kumar Jha, learned APP for the State.

5. Petitioner No.2, namely, Rohit Kumar is apprehending his arrest in connection with Darigaon P.S. Case No.230 of 2025, dated 22.12.2025 registered for the offences punishable under Sections 191(2), 190, 115(2), 109, 352, 351(2) of the B.N.S., 2023.

6. Allegation against the petitioner is that he along with other co-accused person have assaulted the informant due to which he sustained injuries.

7. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Due to some petty dispute, the present occurrence has taken place. As per allegation in the FIR, the petitioner has assaulted to one Shatrudhan and he has received the injury but all the injuries inflicted upon Shatrudhan is simple in nature.

8. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

9. Considering the aforesaid facts, petitioner has clean



antecedent and the and the injury inflicted upon the injured person is simple in nature, let petitioner No.2, namely, Rohit Kumar, in the event of his 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 learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Darigaon P.S. Case No.230 of 2025, 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/her absence on two consecutive dates without sufficient reason, his/her 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/her



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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