

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26946 of 2026

Arising Out of PS. Case No.-360 Year-2025 Thana- ASHTHAWAN District- Nalanda

Rohit Kumar, S/o Sahdev Paswan, Resident of Village- Bihari Bigha, PS-
Asthawan, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 17-06-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Asthawan P.S. Case No. 360 of 2025 registered for the offence(s) under Section(s) 304 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant while returning from bank and carrying Rs. 10,000/-, was intercepted by few miscreants on a motorcycle, who took away the bag and snatched away the passbook as well as her phone.

4. The learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name transpires in the confessional statement of one Avinash Kumar @ Jeeku. It has further been submitted that the petitioner has falsely been implicated in this case as he carries criminal antecedents of similar nature and on account of enmity with said Avinash



Kumar. It has next been submitted that no incriminating article has been recovered from the conscious possession of the petitioner. It has lastly been submitted that the petitioner has two criminal antecedents but in both the cases, he is on bail.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner on the ground that the petitioner carries two criminal antecedent of similar nature.

6. Considering the aforesaid facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner, above-named, be released on anticipatory bail, in the event of his/her arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on his/her furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Asthawan P.S. Case No. 360 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the further conditions :

(i) One of the bailors of the petitioner shall be



his/her close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

(iv) In view of the antecedents of the petitioner, the petitioner is directed to appear before the concerned Superintendent of Police within fifteen (15) days of his/her release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him/her to initiate a proceeding for cancellation of bail of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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