

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24973 of 2026

Arising Out of PS. Case No.-255 Year-2025 Thana- BAUNSI District- Banka

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1. Rohit Kumar @ Rakesh Kumar S/O Ganesh Yadav Resident of Village- Barmasiya, P.S.- Baunsi, District Banka
 2. Sintu Kumar @ Santlal Kumar S/O Ganesh Yadav Resident of Village- Barmasiya, P.S.- Baunsi, District Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2026 Heard Mr. Rabindra Kumar, learned counsel for the petitioners and Mr. Ashok Kumar Singh, learned Additional Public Prosecutor for the State.

2. Petitioners seeks bail who are in custody since 31.10.2025 in connection with Bounsi P.S. Case No. 255 of 2025, F.I.R. dated 31.08.2025 for the offences punishable under Sections 309(6) and 103(1) of the BNS, 2023 and Section 27 of the Arms Act.

3. According to prosecution case, some miscreants entered into the shop of the informant's husband to commit loot and fired upon him due to which he died.

4. Learned counsel for the petitioners submits that



petitioners are innocent and they have falsely been implicated in the present case. He further submits that the petitioners were not named in the FIR and their name has been transpired during investigation on the basis of the confessional statement of the co-accused persons, namely, Ankit Kumar Yadav and Akshay Kumar which was recorded in paragraph nos. 205 and 206 of the case diary. He further submits that the co-accused person has confessed that the co-accused, Ankit Kumar has fired upon the victim and he has also stated that the petitioner was present at the place of occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioners. He further submits that similarly situated, co-accused, namely, Ajit Kumar has been granted bail by this Court vide order dated 23.03.2026 passed in Cr. Misc. No. 6282 of 2026 and another co-accused, namely, Akshay Kumar Yadav has also been granted bail by a Co-ordinate Bench of this Court vide order dated 15.01.2026 passed in Cr. Misc. No. 92077 of 2025. The petitioners are in custody since 31.10.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioner no. 1 carries two criminal antecedents and petitioner no. 2 carries one criminal antecedent other than the



present one but fairly submits that they are on bail in all the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Banka in connection with Baunsi P.S. Case No. 255 of 2025, subject to the following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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