

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27511 of 2025

Arising Out of PS. Case No.-219 Year-2024 Thana- SHASTRINAGAR District- Patna

Rohit Kumar S/o Naresh Kumar @ Naresh Paswan R/o Mohalla- Baily Road
No.6, Vigilance Office, Back of Lalit Bhawan, Punaichak, Jhoparpatti, P.S.-
Shashtri Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 11-02-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. This is the 2nd attempt of the petitioner. The
petitioner seeks bail in connection with Shastrinagar P.S. Case
No. 219 of 2024 registered for the offence under Sections 307,
326, 302 and 34 of the Indian Penal Code and Section 27 of the
Arms Act.

3. Earlier the bail application of the petitioner was
rejected on 28.08.2024 in Cr. Misc. No. 59197 of 2024 which
reads as follows:-

*Heard learned counsel for the
petitioner and learned APP for the State.*

*2. The petitioner seeks bail in
connection with Shastrinagar P.S. Case No. 219
of 2024 registered for the offence punishable
under Sections 307, 326/34 of the Indian Penal*



Code and Section 27 of the Arms Act.

3. Two named accused persons namely, Chottu Gope and Santosh Gope fired in the market due to which three persons were injured subsequently, Jitendra Rai died.

4. Learned counsel for the petitioner has submitted that during investigation, it has come that there was dispute between the residents of Punichak market and Punichak Jhoparpatti and the petitioner and his father and one more persons were beaten by the deceased and others of the market, During Durga Puja. It has further come in the investigation, that this petitioner, his father and another co-accused used to supply the mobile numbers of the shopkeepers from whom extortion was demanded by Chottu Gope and Santosh Gope. The petitioner and his father and one co-accused provided arms in the crime. The motorcycle used in the crime was recovered from the petitioner and though the colour of the motorcycle which was used in crime differs with the colour of motorcycle recovered from the petitioner. The petitioner is in custody since 01.04. 2024.

5. Considering the involvement of the petitioner in the alleged extortion and murder, I am not inclined to grant bail to the petitioner. This application is dismissed.

4. The learned counsel for the petitioner submits that in the trial, witnesses have turned hostile, therefore, the petitioner may be granted bail.

5. The learned APP for the State has vehemently opposed the prayer of the petitioner.

6. Considered the submissions of the parties. The trial



is continuing. The submission of the learned counsel for the petitioner that the witnesses have turned hostile cannot be considered by this Court at this stage in view of the law laid down by the Hon’ble Supreme Court in the case of *X vs. State of Rajasthan & Anr, 2024 SCC OnLine SC 3539*.

7. In view of the aforesaid facts and circumstances, this Court finds no ground to review its earlier order. Accordingly, this application for regular bail stands rejected.

(Sandeep Kumar, J)

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