

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39449 of 2026

Arising Out of PS. Case No.-152 Year-2025 Thana- PARSABAZAR District- Patna

Raushan @ Rocky Kumar @ Rocky S/O Late Moti Dom @ Moti Ram R/O
Village - Sagar Sweet, Rajendra Nagar, Road No.- 5, P.S- Kadam Kuan,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Khushi Awadh, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-06-2026 Heard Ms. Khushi Awadh, learned counsel for the

petitioner as well as Mr. Kumar Ranjit Ranjan, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
20.08.2025 in connection with Parsa Bazar P.S. Case No. 152 of
2025, F.I.R. dated 16.04.2025 for the offences punishable under
Sections 305 and 331(4) of the Bharatiya Nyay Sanhita, 2023.

3. The prosecution case in brief is that informant's
company (Afcons Infrastructure Limited) had taken flats on rent
in Sudha Home Town apartment situated at Pipra Parsa. It has
further been stated that theft had been committed by breaking
open the door locks of flat no.604, 507, 310 of block B and Flat
no.-407 of Block C and Flat no.B 508, 502 and 503.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated. Initially the petitioner was not named in the FIR and he has been remanded in this case merely on the basis of confessional statement of co-accused, namely, Shubham @ Raja @ Jhamu, who has confessed his guilt in another case vide Agamkuan P.S. Case No.-401 of 2025 and except the confessional statement of co-accused, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present case. He further submits similarly situated co-accused persons, namely, Monu Kumar @ Monu Chandravanshi & Prakash Kumar @ Prakash Lal and Chotu Kumar @ Chhotu Kumar have been granted the privilege of bail by this Court vide order dated 11.03.2026 in Cr. Misc. No. 15308 of 2026. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 20.08.2025

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that that petitioner carries eight criminal antecedents 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 matters.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, 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. First Class, Patna in connection with Parsa Bazar P.S. Case No. 152 of 2025, subject to the 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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