

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32952 of 2026**

Arising Out of PS. Case No.-364 Year-2025 Thana- GAYA KOTWALI District- Gaya

Rohit Roy @ Rohit Maut S/o Pappu Prasad R/o Village- Dholakiya Gali, P.S.-
Kotwali, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 13-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Kotwali P.S. Case No. 364 of 2025 dated 28.07.2025 registered for the offences punishable under Sections 191(2), 190, 126(2), 115(2), 109, 352, 351(2) and 351(3) of the B.N.S.

3. As per the allegation, informant alleged that when he was at his shop, the co-accused Ramji Prasad came there in a drunken condition and demanded 'ghee' and started abusing the informant. It has been alleged that when the informant opposed the acts of co-accused Ramji Prasad, he called 40 to 50 unknown boys who assaulted the informant by means of belt,



rod and bricks. It has further been alleged that when nephew of the informant, namely, Nikhil Kumar came to rescue the informant then co-accused Ramji Prasad along with other co-accused persons started assaulting him as a result of which he received head injury and become unconscious. It has further been alleged that all the accused persons were armed with pistol and amongst 40 to 50 unknown persons, petitioner and co-accused Aniket Kumar were identified.

4. Learned counsel for the petitioner has submitted that there is general and omnibus allegation against the petitioner. It has further been submitted that petitioner has been made victim of circumstances as a result of village politics. Learned counsel for the petitioner referring to the impugned order has submitted that though the injury reports have been discussed, but the nature of injury has not been discussed. It has further been submitted that petitioner has got no criminal antecedent and there is no premeditation to kill so as to constitute the offence under Section 307 of Indian Penal Code.

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

6. Heard the parties and perused the record.

7. Considering the facts and circumstances of the



case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Gaya in connection with Kotwali P.S. Case No. 364 of 2025, subject to conditions as laid down under section 482(2) of the B.N.S.S.

8. The application stands allowed.

(Praveen Kumar, J)

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