

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37461 of 2026

Arising Out of PS. Case No.-58 Year-2025 Thana- Bharatkhand District- Khagaria

Kamal Kumar Roy S/o Rajesh Roy R/o Village - Dumaria Bujurg, P.S -
Parbatta, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rakesh Narayan Singh, Advocate
For the Opposite Party/s :	Ms. Pronoti Singh, APP
For the Informant :	Mr. Chandra Mohan Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-06-2026 Heard Mr. Rakesh Narayan Singh, learned counsel
for the petitioner, Mr. Chandra Mohan Jha, learned counsel for
the informant and Ms. Pronoti Singh, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
24.01.2026 in connection with Bharatkhand P.S. Case No. 58 of
2025, F.I.R. dated 09.12.2025 for the offences punishable under
Sections 126(2), 115(2), 109, 308(2), 303(2), 351(2) & (3), 3(50
and 103(1) of the BNS, 2023.

3. According to prosecution case, all the accused
persons including this petitioner have demanded Rs. 5 lakhs as
ransom from the informant and on refusal, co-accused Chandan
Kumar assaulted the informant by means of bamboo. It is



further alleged that they have also assaulted to the family members of the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Although the petitioner is named in the FIR but there is no specific allegation of assault or overt act attributed against him rather the specific allegation of assault is against the co-accused, Chandan Kumar that he has assaulted the informant by means of bamboo. As per the allegation, the petitioner was standing at the place of occurrence with the arms but there is no allegation against him that he has used those arms. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 24.01.2026.

5. The learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and he has actively participated in the crime in question.

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 CJM, Khagaria in connection with Bharatkhand P.S. Case No. 58 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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