

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40072 of 2026

Arising Out of PS. Case No.-900 Year-2023 Thana- KAHALGAON District- Bhagalpur

Dillo Roy @ Dildar Roy Son of Tukki Roy @ Tanik Lal Roy Resident of
Village- Shyampur, P.S.- Kahalgaon, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-06-2026 Heard Mr. Swapnil Kumar Singh, learned counsel
for the petitioner and Mr. Prem Kumar Jha, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
12.12.2025 in connection with S.T. No. 52 of 2026 arising out
of Kahalgoan P.S. Case No. 900 of 2023, F.I.R. dated
30.07.2023 for the offences punishable under Sections 147,
341, 323, 504, 307, 427 and 34 of the IPC and Section 27 of the
Arms Act.

3. According to prosecution case, this petitioner along
with other accused persons have abused and assaulted the
informant due to some previous enmity and co-accused Sanjit
Pahariya shot fired upon the informant due to which he received
injury on his right thigh.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Although the petitioner is named in the FIR but from perusal of the FIR it appears that there is no specific allegation of assault or firing against the petitioner rather the specific allegation of firing is against the co-accused Sanjit Pahariya and there is general and omnibus allegation against this petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 12.12.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has actively participated in the present crime in question but fairly submits that there is no specific allegation of assault or firing against him.

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 Additional Sessions Judge XIX, Bhagalpur in connection with S.T. No. 52



of 2026 arising out of Kahalgoan P.S. Case No. 900 of 2023,
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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