

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40780 of 2026

Arising Out of PS. Case No.-105 Year-2026 Thana- MAHUA District- Vaishali

Rohit Kumar S/o Sanjay Rai Resident of Village- Mangurahi Bajitpur, P.S.
-Mahua, District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. Ii, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard Mr. Rajeev Ranjan No. Ii, learned counsel for
the petitioner and Mr. Ganesh Prasad Singh, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
16.02.2026 in connection with Mahua P.S. Case No. 105 of
2026, F.I.R. dated 15.02.2026 for the offences punishable under
Sections 310(2), 317(3) and 317(2) of the BNS, 2023 and
Sections 25(1-b)a, 26, 35 and 37 of the Arms Act.

3. According to prosecution case, all the accused
persons including this petitioner have entered into the house of
the informant and on the point of pistol they committed theft.

4. Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. It appears from the FIR as well as seizure list that



no arms have been recovered from the possession of the petitioner rather only one iron Khukhari has been recovered from the possession of the petitioner. In fact, the said arms have been recovered from the possession of the co-accused, namely, Prince Kumar. Hence, no case is made out under the arms act against the petitioner. The petitioner is in custody since 16.02.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one criminal antecedent of the similar nature other than the present one but fairly submits that he is on bail in the said case.

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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 105 of 2026, 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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