

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43391 of 2026

Arising Out of PS. Case No.-179 Year-2026 Thana- PALIGANJ District- Patna

Roushan Kumar S/o Dhananjay Ram R/o Kelhanpur Gachha, P.s.- Bihta,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.04.2026 in connection with Paliganj P.S. Case No. 179 of
2026 for the offence punishable under Section 309(4) of
B.N.S., 2023.

3. According to prosecution case, Abhishek Kumar
has given a written report before the SHO of Paliganj P.S. dated
01.04.2026 alleging therein that the informant is working as
CSP operator of PNB, Paliganj. He further alleged that on
09.04.2026 at about 07:00 p.m. in the evening he was going to
his house along with his younger brother Shakti Singh after
closing CSP. In the way near at village Bhagjoga two bike riders
wearing helmet stopped the informant and put pistol upon him



and by threatening to kill and started assaulting the informant and they snatched bag and mobile of informant and bag his brother. He further alleged that informant had black colour bag containing cash Rs.1,50,000/-, a laptop, biometric device, a register and customer passbook. His brother's bag containing a tab, mobile charger, purse, diary etc which was looted by the criminals. During course of fleeing they took away key of vehicle. Due to darkness informant cannot read motorcycle registration number properly as he mentioned BRO 7741. Bike colour was black.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. It is next submitted that the allegation as alleged in the F.I.R. is forged and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It is next submitted that petitioner was not initially named in the F.I.R. and the name of the petitioner has transpired during the course of investigation on the basis of confessional statement of co-accused person and thereafter one motorcycle was recovered from the house of the petitioner, in fact, the petitioner has purchased the motorcycle in question from one co-accused person after paying Rs. 25,000/- and when he has



assured that he will give the paper of the motorcycle in question, the petitioner was arrested and the motorcycle was recovered from the house in question. Learned counsel for the petitioner next submits that police after investigation has submitted charge-sheet and petitioner is in custody since 11.04.2026.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that petitioner has clean antecedent and also the fact that the petitioner was not named in the F.I.R. and petitioner has purchased the motorcycle in question from the co-accused person, 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 S.D.J.M., Danapur in connection with Paliganj P.S. Case No. 179 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)

Gaurav Sinha/-

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