

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51739 of 2026

Arising Out of PS. Case No.-150 Year-2025 Thana- BARACHATTI District- Gaya

Rohit Raj Son of Ramdular Yadav Resident of Village- Khaira, P.S.-
Barachatti, District- Gayaji.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 29-07-2026 Heard the learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barachatti P.S. Case No.150 of 2025, F.I.R dated 25.04.2025 registered for the offences punishable under Sections 311 and 312 of the Bharatiya Nyaya Sanhita, 2023.

3. According to prosecution case, on the night of 24.04.2025, the informant and his father-in-law, Vijay Prasad, were transporting a consignment of garlic from Gaya to Tata Sakchi Mandi in a pickup van bearing Registration No. JH01EV-8267. At about 11:00–11:30 P.M., near Chhinari Bridge on G.T. Road within Barachatti Police Station, the vehicle suffered a punctured tyre. While they were replacing the tyre, one unidentified person, with his face covered and armed with a



pistol, approached them, snatched the informant's Jio mobile phone, and attempted to take him towards the nearby forest. When the informant resisted, 3-4 other masked assailants arrived and assaulted both the informant and his father-in-law. The informant managed to escape and sought help from passing drivers, during which he heard gunshots. A Police Emergency Response Vehicle reached the spot and shifted the injured Vijay Prasad, who had sustained three gunshot injuries, first to Barachatti Police Station for medical assistance, then to M.M.C.H., Gaya, and subsequently to Medanta Hospital, Patna, for treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It has further been submitted that the name of the petitioner has transpired on the basis of confessional statement made by co-accused Vinay Kumar and Guddu Kumar while, there is nothing specific alleged against this petitioner and nothing incriminating is said to have been recovered to suggest his complicity in the said offence. Lastly, it has been submitted that the petitioner has clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail application.



6. Considering the aforesaid facts and circumstances that the name of the petitioner has transpired on the basis of confessional statement made by co-accused Vinay Kumar and Guddu Kumar and there is nothing specific alleged against this petitioner and nothing incriminating is said to have been recovered to suggest his complicity in the said offence and the petitioner has clean antecedent. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 A.C.J.M.-II, Shergatti, Gayaji, in connection with Barachatti P.S. Case No.150 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;



(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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