

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66101 of 2025

Arising Out of PS. Case No.-260 Year-2024 Thana- SHASTRINAGAR District- Patna

Rohit Kumar @ Rohit Paswan S/o- Naresh Paswan Resident of Khalid, PS-
Kako, District- Jahanabad at present Punaichak Jhoparpatti, PS- Shastri
Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 12-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 120B, 34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. Petitioner is said to have committed the murder of
the son of the informant.

4. Learned counsel for the petitioner submits that the
present first information report has been lodged against
unknown and the name of the petitioner along with other
accused persons has transpired during the course of
investigation. It has been pointed out that in the bail rejection
order, the ground for rejection of bail of the petitioner has been
primarily said to be the fact that the confessional statement of



accused Chhotu Kumar @ Ashok Mahto of Shastri Nagar P.S. Case No. 219 of 2024 has led to the recovery of firearm from the house of the petitioner and the reference of paragraph-75 of the case diary has been given but the same is an error of record as paragraph-75 of the case diary clearly indicates that the name of one Rohit Jaiswal transpires in the confessional statement of co-accused Chhotu Kumar and subsequently paragraph-77 of the case diary also indicates that such recovery and seizure is shown from the house of Rohit Jaiswal son of Tribhuban Pd. Jaiswal and not the present petitioner. It has further been submitted that from the statement of one of the witness recorded in paragraph 16, it would be clear that two persons namely Rajesh Raj @ Banti and Chhotu Kumar @ Ashok Mahto came on motorcycle and firing was made by Chhotu Kumar. The other witnesses have only referred to two unknown miscreants to be the assailants of the deceased. Further, the petitioner is in custody since 25.04.2025

5. Learned APP for the State has opposed the application for bail.

6. Taking into consideration the facts and circumstances and also considering that fact that the thrust of allegation as per the materials collected during the course



investigation is upon Chhotu Kumar @ Ashok Mahto and to some extent against Rajesh Raj @ Banti who has already been granted bail by a coordinate Bench of this Court vide order dated 16.12.2024 passed in Cr. Misc. No. 64279 of 2024, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Shastri Nagar P.S. Case No. 260 of 2024.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

