IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67178 of 2026

CNR No. BRHC010939972026

Arising Out of PS. Case No.-151 Year-2026 Thana- KOILWAR District- Bhojpur

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Abhishek Kumar @ Gandhi S/o Raj Kumar @ Raj Kumar Prasad @ Raj R/o Village- Dhandhha, P.s.- Koilwar, District- Bhojpur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Akanksha Malviya, Adv.
Mr. Aakash Keshav, Adv.
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

3 20-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. This is an application for regular bail to the petitioner who has been made accused in connection with Koilwar P.S. Case No. 151 of 2026 registered for the offences punishable under Sections 310(2) & 311 of the BNS.

3. As per the prosecution case, on 16.07.2026 at about 11:50 PM, while the informant along with his friend Bablu Kumar @ Gandhi, was returning home on motorcycles, six unknown miscreants intercepted them. The miscreants allegedly fired three rounds to intimidate them, assaulted them and looted a gold chain weighing approximately 16 grams, Rs. 40,000/- in

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cash, hotel documents, Aadhaar card, PAN card and mobile charger from the informant. The miscreants also snatched Bablu's wallet, Aadhaar card and PAN card, assaulted him and demanded money before fleeing towards the Son river. Upon receiving information, the police reached the spot and recovered one empty cartridge and one live cartridge.

4. Learned counsel for the petitioner submits that petitioner is quite innocent, has committed no offence and has falsely been implicated in this case due to village politics and enmity. Petitioner is not named in the FIR and the name of the petitioner has transpired on the confessional statement made by the co-accused Abhishek Kumar @ Modi. No incriminating article or robbed property has been recovered from the conscious possession of this petitioner. Also, no Test Identification Parade has been conducted.

5. Further, there is no eye witness attributing specific overt act against this petitioner, neither there is any primary ocular testimony as the alleged occurrence took place during darkness. Petitioner is aged about 18 years and he is pursuing education. Petitioner has clean antecedent and is languishing in judicial custody since 21.07.2026. Investigation has been completed and charge-sheet has already been submitted in this

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case.

6. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, the period of custody as also taking into consideration the fact that there is no recovery of robbed property from the petitioner's possession and the petitioner being 18 years of age and pursuing education, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II, Bhojpur at Ara/concerned court in connection with Koilwar P.S. Case No. 151 of 2026, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(iii) if the petitioner tampers with the evidence or

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the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Kumar Manish, J)

Abhishek/-

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