IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75563 of 2026

CNR No. BRHC011093302026

Arising Out of PS. Case No.-524 Year-2026 Thana- AGAMKUAN District- Patna

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Rohit Kumar S/o Yogendra Kapoor R/o vill - Machhua Toli, P.S.- Kadamkua, Distt.- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 27-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Agamkua P.S. Case No. 524 of 2026 instituted for the offences under Section 304(2) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution allegation, in short, is that when the informant was going to his home by auto-rickshaw, the auto driver snatched the informant's gold chain, threw his luggage out of the vehicle and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is not named in the FIR. The name

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of the petitioner has transpired during course of investigation. Charge-sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. There is no recovery of any incriminating articles from the conscious possession of the petitioner. The petitioner is in custody since 20.06.2026 and has got eight criminal antecedents. The petitioner has not been put on T.I.P. to ascertain his participation in the instant case. There is no compliance of Section 103 of the B.N.S.S..

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Agamkua P.S. Case No. 524 of 2026, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

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(II) The petitioner shall appear on each and every date fixed at the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner will not tamper with the evidence or the witnesses during the trial.

(IV) Petitioner shall not commit offence of similar nature in future.

If any of the above conditions are violated, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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