

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82444 of 2025

Arising Out of PS. Case No.-202 Year-2024 Thana- NIRMALI District- Supaul

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Rohit Kumar @ Rohit Kumar Yadav Sonf of Late Jagdhar Yadav @ Yogdhar Yadav Resident of Village - Mahua Ward No. 1, P.S.- Nirmali, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate

For the Opposite Party/s : Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 05-01-2026 Heard learned counsel for the petitioner and the learned APP for the State.

2. The petitioner seeks bail in connection with Nirmali P.S. Case No. 202 of 2024 dated 02.11.2024 registered for the offences under Sections 309(4) and 3(5) of the B.N.S.

3. As per the prosecution case the informant has alleged that while he was travelling by a motorcycle three persons overtook his motorcycle and stopped and assaulted him with fists and slaps and thereafter they snatched away the mobile phones and fled away.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has transpired in the confessional statement of co-accused Gaurav Kumar. It has



next been submitted that no incriminating article has been recovered from the conscious possession of the petitioner and merely on the ground that the petitioner carries eight criminal antecedents of similar nature he has been made accused in the present case. It is lastly submitted that the charge-sheet has already been submitted and the petitioner is in custody since 29.03.2025.

5. Learned APP has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Birpur at Supaul in connection with Nirmali P.S. Case No. 202 of 2024 subject to the following terms and conditions:

(i) One of the bailors will be a close relative of the petitioner;

(ii) the petitioner will remain present on each and every date fixed, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner



will liable to be cancelled by the Court concerned;

(iv) the trial court 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 trial court shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

(v) the petitioner is directed to appear before the SSP, Siwan fortnightly to mark his attendance.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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