

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82372 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- NIRMALI District- Supaul

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Rohit Kumar @ Rohit Kumar Yadav S/o- Late Jagdhar Yadav @ Yogdhar Yadav Resident of Village- Mahua Ward No. 01, 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 : Mr. Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

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

2. The petitioner seeks bail in connection with Nirmali P.S. Case No. 26 of 2025 dated 17.02.2025 registered for the offences under Sections 309(6) of the B.N.S.

3. As per the prosecution case the informant while returning to Nirmali *via* Mahua after collecting a sum of Rs. 32,900/- was intercepted by four persons riding on two motorcycles. It has been alleged that the miscreants not only assaulted the informant but also snatched away the collected amount and the mobile phone of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case only



because he carries a long list of antecedents of similar nature. It has been submitted that apart from the confession of a co-accused no other material has been collected in order to show the complicity of the petitioner in the present case. It has further been submitted that no recovery has been made from the conscious possession of the petitioner and till date no TIP has been conducted. It has lastly been submitted that co-accused namely Laltu Yadav @ Surendra Yadav @ Surendra Kumar Yadav @ Surendra Kumar has been enlarged on bail by a co-ordinate Bench of this Court *vide* order dated 08.10.2025 passed in Cr. Misc. No. 46520 of 2025.

5. The petitioner is in custody since 15.03.2025 in this case.

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

7. Considering the aforesaid 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 1st Class, Birpur at Supaul in connection with Nirmali P.S. Case No. 26 of 2025 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.

8. 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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