

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86361 of 2025

Arising Out of PS. Case No.-256 Year-2025 Thana- RAXAUL District- East Champaran

1. Rohit Baitha @ Rohit Kumar Son of Munna Chaudhary @ Munna Choudhary Resident of Village- Sakari Saraiya, P.S.- Turki, District- Muzaffarpur
2. Ram Kumar Rajak Son of Vishwanath Rajak Resident of Village- Jurawanpur, P.S.- Jurawanpur, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. Learned counsel for the petitioners, after arguing vehemently for sometime realizing his difficulty, seeks permission to withdraw the anticipatory bail application with respect to petitioner no.1, namely, Rohit Baitha @ Rohit Kumar.

3. Permission is accorded.

4. The instant anticipatory bail application is dismissed as withdrawn so far as petitioner no.1, Rohit Baitha @ Rohit Kumar is concerned.

5. Petitioner No.2, namely, Ram Kumar Rajak apprehends his arrest in a case registered for the offences



punishable under Sections 281 and 106(1) of B.N.S., 2023. Later on, Section 105 of B.N.S., 2023 was also added.

6. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that he came to know that his brother met with an accident by an auto bearing Registration No.BR01GP3416 and he died since he could not be brought to the hospital in time.

7. Learned counsel for the petitioner submits that informant is not an eye witness to the occurrence and it were the public, who disclosed the auto number, based on which, the informant instituted the instant FIR. It is further submitted that during course of investigation, the owner of the vehicle was questioned who disclosed that the auto was being driven by his driver, Rohit Baitha. It is next submitted that as far as petitioner no.2 is concerned, he was a passenger sitting in the auto and he also suffered injury on account of the accident but then came to be implicated since he is related to petitioner no.1. It is also asserted and submitted that the auto was being driven by Rohit Baitha and not by petitioner no.2.

8. Learned APP opposes the anticipatory bail application.

9. Considering the submissions made by learned



counsel for the petitioner and taking into consideration the fact that petitioner no.2 is not the driver of the auto, let petitioner no.2, namely, Ram Kumar Rajak, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Raxaul P.S. Case No.256 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Satyavrat Verma, J)

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