

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85026 of 2025

Arising Out of PS. Case No.-186 Year-2025 Thana- ROH District- Nawada

Rajesh Kumar @ Raja S/o Bijay Singh R/O Vill.- Mahrawa, P.S.- Roh, Dist.-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-01-2026 Heard Mr. Birendra Kumar, learned counsel for the

petitioner and Mr. Anil Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
18.06.2025 in connection with Roh P.S. Case No. 186 of 2025,
F.I.R. dated 07.06.2025 for the offences punishable under
Section 140(3) of the BNS, 2023 but the police have submitted
chargesheet under Sections 103(1), 238, 61(2) and 3(5) of the
BNS, 2023.

3. According to prosecution case, the informant's son
got traceless and his mobile phone was also found to be
switched off.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the petitioner is not named in the F.I.R and his name has been transpired during investigation on the basis of suspicion and except suspicion, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence. Even no one has seen the occurrence and the informant is also not the eye witness of the alleged occurrence. He further submits that the date of occurrence is 03.06.2025 but the present F.I.R has been instituted on 07.06.2025 i.e., after delay of 4 days without giving any reason of delay. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.06.2025.

5. The learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and except suspicion, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Judicial Magistrate-1st Class, Nawada in connection with Roh P.S. Case No. 186 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below 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 court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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