

In the Court of Sessions Judge, Vaishali

B.P. No. 473/2026

Rohit Kumar @ Anky, aged about 21 years S/o Dinanath Thakur
Resident of village – Nakhas Chowk, P.S. - Hajipur Town, District – Vaishali.
:- Petitioner

Versus

State of Bihar :- O.P.

Appearance :-

Learned counsel for the petitioner :- Sri Vinod Kumar Singh, Advocate

Learned P.P. for the State : Sri Shyam Babu Rai, P.P.

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 29th. April 2026

The regular bail petition of the above named accused petitioner has been filed u/s 483 of B.N.S.S., who is in judicial custody since 25.06.2025 in connection with Hajipur Town P.S. Case No. 776/2025 for the offences u/ss. 25(1-b)a, 26 & 35 of Arms Act.

Heard the learned counsel for the accused petitioner and learned Public Prosecutor for the State and perused the record.

It is stated in Para 2 of the bail petition that earlier no bail application either anticipatory or regular has been filed on behalf of the petitioner before this court of sessions or before the Hon'ble High Court, Patna.

The prosecution case in brief, as per written report of the informant Sanjay Kumar, S.I. of police is that on 24.06.2025 during patrolling he got information that near Nepali Mandir at Konhara Ghat three miscreants with pistol were making plan to commit crime. On such information, the informant alongwith police team reached there, where on seeing the police vehicle three miscreants started to flee and two persons succeeded to flee away but one of them was apprehended, who disclosed his name as **Rohit Kumar @ Anky**. He also disclosed the name of the escapee miscreants as Mayank Kumar @ Mayank Nishad and Vikky Kumar. On search of apprehended miscreant **Rohit Kumar @ Anky** one country made pistol loaded with two live cartridges was recovered from his waist. On demand of license or valid papers of recovered arms and ammunitions,

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no any valid license or paper was produced by him. On query, **Rohit Kumar @ Anky** disclosed that they have assembled to commit Loot-pat of motorcycle. Thereafter seizure list was prepared of recovered arms and ammuntions and the apprehended accused **Rohit Kumar @ Anky** was arrested by the police.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner has criminal antecedent of five other criminal cases. Petitioner is in judicial custody in this case since 25.06.2025. The co-accused Vikky Kumar and Mayank Kumar have been granted regular bail by this court vide B.P. No. 1602/2025 and B.P. No. 252/2026. Hence, prayer has been made for bail.

The learned Public Prosecutor for the State opposed the prayer for bail.

Heard both the parties and perused trial court record as well as case diary. From perusal of trial court record and case diary, it transpires that there is allegation against the petitioner that he had assembled alongwith other co-accused persons to commit crime and he has been apprehended by the police and other accused persons succeeded to flee away. On search, one country made pistol loaded with two live cartridges was recovered from his waist. The investigation has been completed and charge-sheet has been submitted against the petitioner. It further appears that the co-accused Vikky Kumar and Mayank Kumar were granted regular bail by this court vide B.P. No. 1602/2025 and B.P. No. 252/2026. Petitioner is in judicial custody in this case since 25.06.2025.

Considering the aforesaid facts and circumstances of the case as well as nature of allegations and the period of custody, the regular bail petition of the

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petitioner is allowed. Accordingly, the above named accused petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned trial court **subject to the further conditions that :-**

(i) The petitioner will not indulge in any kind of such offence and shall appear and report to S.H.O. of concern police station on first week of the every month for a period of one year regarding his activity after being released from custody.

(ii) The petitioner will not delay the disposal of trial in any manner what so ever and will remain physically present for framing of charge and at the stage of recording of statement under section 351 of B.N.S.S.

(iii) The petitioner would not repeat similar type of offence in future.

In case of breach of any of the aforesaid conditions, learned Court concern will be at liberty to cancel the bail and send the applicant to prison.

Before accepting the bail bonds of the petitioner, the learned Trial Court is requested to ensure that a copy of this order be sent to the S.H.O. of concern P.S. with direction that, the concern S.H.O. will inform the learned Court if the petitioners fail to appear before him in any month as specified in aforesaid condition.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali

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Date of Order	29.04.2026
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