

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12402 of 2025

Arising Out of PS. Case No.-618 Year-2023 Thana- BARH District- Patna

Vikky Kumar Gupta S/o Naresh Prasad Gupta @ Naresh Saw R/o Village-
Motipur, PS- Naubatpur, Distt- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Gyanendra Kumar Singh, Advocate
For the State : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 07-11-2025 Heard learned counsel for the petitioner and learned
counsel for the State.

2. This is the second attempt on behalf of the
petitioner for grant of bail in connection with Barh P.S. Case
No.618 of 2023 registered for the offence under sections
395/397 of the Indian Penal Code.

3. Earlier, the prayer of the petitioner for grant
of bail has been rejected vide order dated 20.02.2024 passed in
Criminal Miscellaneous No.9966 of 2024.

4. The petitioner is accused of having
committed dacoity. He is in custody since 03.10.2023.

5. From the report of the trial court, it appears
that in the trial only one witness is left to be examined.

6. Similarly situated co-accused namely,
Manish Kumar had moved before the Hon'ble Supreme Court



for grant of bail in connection with present F.I.R. by way of filing *Special Leave to Appeal (Crl.) No.2363 of 2025*, titled '*Manish Kumar vs State of Bihar*' which was allowed vide order dated 20.08.2025.

7. The entire order dated 20.08.2025 passed by the Hon'ble Supreme Court reads as under :-

"Heard learned counsel for the parties and perused the pleadings.

2. The petitioner is wanted in connection with FIR No.618 of 2023 under Sections 395/397 of the Indian Penal Code registered at Police Station Barh, District Patna, Bihar.

3. The petitioner is in jail since 03.10.2023. The charges have been framed and the trial has commenced.

4. It is submitted that out of the four witnesses, three have been examined and the trial is likely to be concluded within no time.

5. Be that as it may, most of the accused persons have already been enlarged on bail and since the petitioner has suffered incarceration for almost two years, we deem it appropriate to enlarge petitioner on bail.

6. Accordingly, the petitioner is directed to be released on bail subject to such terms and conditions as may be imposed by the trial Court commensurating with the charges framed against him.

7. Needless to state that the petitioner shall cooperate and participate in the



proceedings as and when required.

8. The Special Leave Petition is disposed of accordingly. Pending application(s), if any, shall stand disposed of.”

8. Considering the aforesaid, this bail application is allowed.

9. Let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Sessions Court, ADJ-VI, Barh, Patna / concerned Court below, in connection with Barh P.S. Case No.618 of 2023, subject to the condition that both the bailors will be blood relatives of the petitioner,

10. This is also subject to the condition that the petitioner will mark his attendance in Naubatpur Police Station, District- Patna on every Sunday of the month. Any default in appearance at the Police Station will result in cancellation of bail bonds of the petitioner. Further, the petitioner will cooperate in the trial and will appear himself or through his advocate on each and every dates fixed in the trial.

(Sandeep Kumar, J)

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