

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25290 of 2025

Arising Out of PS. Case No.-177 Year-2024 Thana- KUDHNI District- Muzaffarpur

Vivek Kumar @ Ankit Kumar, Son of Lalan Das, Resident of Village-
Dariyapur, Kafan (Chakiya), P.S.- Turki, Distt.- Muzaffarpur, Bihar-844127
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anmol Kumar, Advocate
For the Opposite Party/s : Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 28-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner seeks bail in connection with
Kudhani P.S. Case No.177 of 2024 registered for the offences
under Sections 309(6), 317(3) and 3(5) of the Bhartiya Nyaya
Sanihta (in short 'B.N.S.') as well as Section 25(1-B)a, 35 and
27 of the Arms Act.

3. The accused/petitioner is named in the FIR and is in
custody since 30.08.2024.

4. Allegation against the petitioner is to commit
dacoity along with co-accused persons in C.S.P., North Bihar
Gramin Bank, Branch-Kamtaul on 29.08.2024 at 9:15 am,
where one of the co-accused was apprehended on spot.

5. It is submitted by learned counsel appearing for



petitioner that name of petitioner transpired in this case on the basis of disclosure made by apprehended co-accused, in furtherance of which, no incriminating materials appears to be recovered from his possession. It is submitted that prior to this occurrence, the petitioner was said to be involved in three more criminal cases of almost similar nature and out of said suspicion only, he was implicated with present case also with wrong name as his name in actual is Ankit Kumar. It is also pointed out that petitioner was never put on T.I.P. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

6. Learned APP opposed the prayer for grant of bail to the petitioner.

7. In view of aforesaid factual submission and by taking note of the fact as save and except suspicion arising out of disclosure of apprehended accused, nothing *prima facie* appears against petitioner during investigation, coupled with the fact that investigation of this case is already completed, where petitioner is in custody since 30.08.2024, accordingly, the petitioner, above-named, is directed to be released on bail



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-1st, Muzaffarpur (West) in connection with Kudhani P.S. Case No.177 of 2024, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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