

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24441 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- MANER District- Patna

Vikash Kumar S/O Krishna Rai R/O Village- Ramji Chak Bata, P.S- Digha,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 37241 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- MANER District- Patna

Arun Kumar Pal S/O Kedar Pal R/O Village- Chhitnawa, P.S- Maner, Distt.-
Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 24441 of 2025)
For the Petitioner/s : Mr. Ansul, Sr. Advocate
For the Informant : Mr. Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP
(In CRIMINAL MISCELLANEOUS No. 37241 of 2025)
For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-06-2025 Heard Mr. Ansul, learned Senior counsel for the

petitioner (in Cr. Misc. No. 24441 of 2025), Mr. Dhananjay

Kumar, learned counsel for the petitioner (in Cr. Misc. No.

37241 of 2025), Mr. Sanjay Kumar, learned counsel for the

Informant and Mr. Chandra Bhushan Prasad and Mr. Syed

Ehteshamuddin, learned APPs for the State.



2. The petitioners are apprehending their arrest in connection with Maner P.S. Case No. 68 of 2025, F.I.R. dated 27.01.2025 registered for the offences punishable under Sections 103(1), 303(2), 61(2), 3(5) of B.N.S. and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he along with other co-accused persons have committed murder the informant's brother.

4. Learned Senior counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case due to admitted land dispute as alleged in the F.I.R. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R. and one Sonu Kumar was arrested and he has confessed his guilt which was recorded in paragraph-29 of the case diary which suggests that he and one Subodh Kumar have fired upon the deceased (Rajdeo Rai) and except the aforesaid, no other cogent material has come during investigation to suggest the involvement of the petitioners in the present occurrence and although petitioner namely Vikash Kumar has purchased the same land with the informant.



5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioners and submits that it has come during investigation that the name of petitioners and other co-accused have been transpired in the present occurrence and at the instance of the petitioners the present occurrence had taken place.

6. Considering the facts and circumstances of the case and the fact that the petitioners having clean antecedents and there is no specific allegation of any assault or overt attributed against the petitioners and even co-accused person namely Sonu Kumar who has confessed his guilt that he has fired upon the victim along with co-accused Subodh Kumar, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur, Patna/Concerned Court in connection with Maner P.S. Case No. 68 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with



other following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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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