

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22462 of 2025

Arising Out of PS. Case No.-234 Year-2024 Thana- DUMARIAGHAT District- East
Champaran

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Vikash Kumar S/O Shubhnarayan Kunwar @ Shubhnarayan Kuwar R/O
Vill.- Narkatiya, Bara Chakiya, Parsauni Khem, P.S.- Chakia, Dist.- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
	:	Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s :		Mr. Rana Randhir Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 12-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Dumariyaghat P.S. Case No. 234 of 2024 instituted for the
offences under Section 309(4) of the BNS.

3. Prosecution case, in short, is that, three-four
unknown miscreants intercepted the informant and looted his
truck loaded with Pan Masala and fled away.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case on the basis of confessional statement of



the co-accused Sajit Tyagi @ Sajid. Learned counsel further submitted that there is a delay of five days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the looted truck or the goods loaded. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that as per para-21 of the case diary, the looted truck was recovered from an abandoned place. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.11.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that police, after investigation, submitted charge-sheet under Sections 310(2), 317(3) of the BNS. The prayer for grant of bail to the co-accused person has already been rejected by this Court vide order dated 29.04.2025 passed in Cr. Misc. No. 5036 of 2025.

6. Considering the aforesaid facts and circumstances of the case as also nature and gravity of offence, this Court is



not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of six months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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