

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31027 of 2025**

Arising Out of PS. Case No.-64 Year-2025 Thana- GRIYAK District- Nalanda

Vikash Kumar S/O Late Ramdev Sav R/O Village- Ahiyachak, P.S-  
Katarisarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jitendra Kumar, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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

ORAL ORDER

2      08-05-2025      Heard learned counsel for the petitioner and  
learned APP for the State.

2. The petitioner seeks bail in connection with  
Giriyak/Katarisarai P.S. Case No. 64 of 2025, instituted for the  
offences punishable under Sections 318(4), 319(2), 336(3), 338,  
339, 340(2), 341(1), 342(1), 3(5), 61(2) of the Bharatiya Nyaya  
Sanhita, 2023, read with Section 37 of the Bihar Prohibition and  
Excise Act and Sections 66(C), 66(D) of I.T. Act.

3. The prosecution case, in short, is that, the police  
received secret information that some persons were doing cyber  
crime through forged mobile phone and celebrating liquor party.  
Upon receiving the information, the police raided the said place  
and apprehended the petitioner along with other co-accused



persons. It is further alleged that smell of liquor was found from the mouth of co-accused, namely, Ranjan Kumar and Sonu Kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has got no concern with the other co-accused persons. Only mobile phone has been recovered from the possession of the petitioner which belongs to him. The petitioner was arrested from his own *Khalihan* where he was sitting after taking lunch. It is further submitted that no liquor has been found from the place of occurrence. The allegation levelled against the petitioner is general and omnibus in nature. The petitioner is in custody since 15.02.2025 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 28.04.2025 passed in Cr. Misc. No. 26394 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.



6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Giriyak/Katarisarai P.S. Case No. 64 of 2025.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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