

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32451 of 2025

Arising Out of PS. Case No.-102 Year-2024 Thana- NAUBATPUR District- Patna

Vikash Kumar @ Pawan Kishore S/o- Nepali Singh @ Nawal Kishore @
Nawal Kishore Sharma Resident of village- Aropur PS- Naubatpur District-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Ishwar Chandra, Advocate
For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 02-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Naubatpur P.S. Case No. 102 of 2024 registered on 12.02.2024 for the offences under Sections 341, 307, 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, two youths fired upon the father of the informant and he died during his treatment. Name of the petitioner transpired in this case during investigation for being involved in the murder of the father of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is not named in the FIR and his name transpired in this case on the basis of confessional



statement of co-accused Subham Kumar and Avnish Kumar who disclosed the name of the petitioner as their associate and further disclosed that firearm and ammunitions were provided by this petitioner. However, on the date of occurrence, i.e., on 11.02.2024 the petitioner was in custody. Petitioner has been in custody since 17.10.2023 in connection with Naubatpur P.S. Case No. 695 of 2023 and during his custody he has been remanded in the present case on 07.01.2025. Except for the confessional statement of co-accused, there is no material against the petitioner. A number of witnesses were examined but they did not disclose the name of this petitioner and even in the CCTV footage, the petitioner could not be identified. Coming to know about the real facts, the informant has also filed a compromise petition on 04.04.2025 in the court of learned Additional Chief Judicial Magistrate-VI, Danapur stating therein that the informant knew the petitioner and on the date and time the petitioner was in jail. The petitioner has been falsely implicated in a number of cases by the police and in most of the cases the name of the petitioner transpired subsequently. Petitioner is having antecedent of 19 cases. Charge-sheet has been submitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner. Learned APP submits that there is



serious allegation against the petitioner for providing firearm and cartridges to the assailants who killed the father of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the remoteness of allegation against the petitioner and its doubtful nature and also considering the period of custody of the petitioner as well as submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Danapur/concerned court in connection with Naubatpur P.S. Case No. 102 of 2024, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bond of the
petitioner will be liable to be cancelled by
the court concerned.

(Arun Kumar Jha, J)

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