

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34986 of 2025

Arising Out of PS. Case No.-260 Year-2024 Thana- SINGHESHWAR District- Madhepura

Vikash Kumar S/O Surendra Yaadav, Resident of Village- Kamargama, Police
Station- Singheshwar, Distt-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bam Bahadur Jha, Advocate

For the State : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 14-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Singheshwar P.S. Case No. 260 of 2024 dated-24.07.2024,
registered for the offences punishable under Sections 109 and
3(5) of B.N.S. and Section 27 of the Arms Act.

3. As per allegation, four unknown persons, who were
riding two motorcycles, came and the informant was shot at by
one of them.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. He further submits that petitioner is no way connected with the alleged offence because he was not present and his name has come only on the basis of suspicion and confessional statement of co-accused Amlesh Yadav, which has no evidentiary value. He further submits that similarly situated co-accused Dilkhush Kumar @ Pakhna has been also enlarged on regular bail by a Co-ordinate Bench of this Court vide order dated 09.05.2025 passed in Cr. Misc. No. 9022 of 2025. He further submits that charge-sheet has been submitted, but so called confessional statement of co-accused, there is no cogent material in support of the prosecution case against the petitioner.

5. He further submits that the petitioner has been languishing in jail since 17.10.2024.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-



named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below in connection with Singheshwar P.S. Case No. 260 of 2024, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court



below that statement regarding previous bail petition is wrong,
learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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