

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38572 of 2025

Arising Out of PS. Case No.-1038 Year-2024 Thana- GAYA MUFASIL District- Gaya

Vikash Kumar Son of Sri Upendra Mehta Resident of Village- Manpur, Sudhi Tola @ Manpur Sonar toli P.S.- Muffasil, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate Mr. Mudit Meet, Advocate
For the Informant/s	:	Mr. Kumar Dharendra Pratap Singh, Advocate Mr. Vaibhav Kumar, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 03-09-2025 Heard Mr. Ajay Kumar Thakur, learned counsel for the petitioner; Mr. Kumar Dharendra Pratap Singh, learned counsel for the informant and Mr. Surendra Pratap Singh, learned APP for the State.

2. The petitioner has prayed for bail in connection with Muffasil P.S. Case No. 1038 of 2024 registered for the offence punishable under Sections 103(1), 3(5) of the B.N.S., 2023 and Sections 25(1-B)(a), 26, 35 and 27 of the Arms Act.

3. The case of the prosecution is that the informant was sitting in his office at the petrol pump. Meanwhile, he heard a noise and came out of the petrol pump. Then he saw that Kaushal fired at his nephew, namely, Anish Singh @ Kundan



Singh. It is alleged that at that time, Paltan Singh, Vishal were also there. The name of this petitioner is not there in the FIR; his name has surfaced in re-statement of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner also submits that from perusal of the FIR, it is clear that there is direct allegation against one Kaushal Singh, and in the re-statement of the informant also, no role has been attributed to this petitioner. He further submits that those persons who were arrayed during these statements, namely Deepak Kumar Jhota and Rohit Pandey, have been granted bail by Co-ordinate Bench of this Court in Cr. Misc. Nos. 38568 of 2025 and Cr. Misc. No. 36771 of 2025 respectively. The case of this petitioner stands on similar footing. It has lastly been submitted that the petitioner is languishing in judicial custody since 14.12.2024 and he has criminal antecedent of seven cases, where he is on bail in those cases.

5. Learned APP for the State and the learned counsel for the informant are present and have conceded to the argument of the learned counsel for the petitioner that the name of this



petitioner has surfaced during investigation in the re-statement of the informant and that no specific role is attributed to them.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st Class, Gaya, in connection with Muffasil P.S. Case No. 1038 of 2024.

(Ashok Kumar Pandey, J)

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