

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42779 of 2025**

Arising Out of PS. Case No.-130 Year-2024 Thana- DERNI BAZAR District- Saran

Vikash Kumar @ Vikash Roy @ Vikash Kumar Yadav, aged about 29 years,  
Male, S/O Raj Kishor Roy @ Kishori Ray, resident of village- Chhotka  
Banya, P.S.- Darni, Distt- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                      |
|----------------------------|--------------------------------------|
| For the Petitioner/s :     | Mr. Saroj Kumar Choudhary, Advocate  |
| For the Opposite Party/s : | Mr. Tarun Prasad Mandal, APP         |
| For the Informant :        | Mr. Dewendra Narayan Singh, Advocate |

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

3      15-10-2025                      Heard learned counsel for the petitioner; learned  
Additional Public Prosecutor for the State and learned counsel  
for the informant, who has appeared *suo motu*.

2. The petitioner apprehends arrest in connection with  
Darni PS Case No.130 of 2024 dated 27.06.2024, instituted  
under Sections 341, 323, 324, 325, 307, 302/34 of the Indian  
Penal Code and Section 27 of the Arms Act.

3. Specific allegation against the petitioner is that on  
the direction of Kishore Rai, he took out pistol from his waist  
and fired upon the head of Ritesh Kumar, who succumbed to the  
injury.

4. Learned counsel for the petitioner submits that  
there is specific allegation against the petitioner that he fired  
upon the informant's son due to which he sustained gun shot



injury on the head but the doctor has not found any firearm injury on the person of the deceased during the course of *postmortem*. It is also submitted that the petitioner has one criminal antecedent.

5. Learned APP as well as learned counsel for the informant has opposed the prayer for bail, however, it has been fairly admitted by the learned APP that no firearm injury was found on the person of the deceased during the course of postmortem although there is allegation that he was shot by the petitioner on his head.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1<sup>st</sup> Class, Chapra, Saran, in Derni PS Case No.130 of 2024, subject to the conditions laid down in Section 482(2) of the *Bharatiya Nagarik Suraksha Sanhita*, 2023.

7. The application stands allowed.

**(Khatim Reza, J)**

J. Alam/-

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