

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55880 of 2025

Arising Out of PS. Case No.-1710 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

Vicky Kumar Son of Shankar Sahani R/O Village - Karapur, @Bochahan,
P.S.- Bochahan, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Advocate Mr. Rajeev Ranjan No. II, Advocate
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 27-08-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Ahiyapur P.S. Case No.1710 of 2023, lodged on 18.12.2023, under Section 302/34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioner. The informant’s wife has disclosed that her husband went with these named five persons in the evening of 17.12.2023 and in the night her husband did not return, but subsequently on the next



day her husband's dead body was found. Thereafter, the FIR has been lodged. The vein of neck, hand and leg were cut by sharp cutting weapons.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the antecedent of the petitioner is clean and only and only on the basis of suspicion the petitioner's name has been inserted in this case. Counsel submits that there is no eyewitness in this case. He further submits that one of the co-accused has been granted bail by a coordinate Bench of this Court vide order dated 29.01.2025 passed in Cr. Misc. No.75229 of 2024. Counsel submits that case of the petitioner is on better footing than the co-accused as the co-accused has seven criminal antecedents but petitioner's antecedent is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner but submits that it is true that co-ordinate Bench of this Court has granted bail to the co-accused vide order dated 29.01.2025 passed in Cr. Misc. No.75229 of 2024 (Annexure-P/2).

6. In the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court



below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Chief Judicial Magistrate, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 1710 of 2023, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

7. And further condition that the Trial Court shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the Trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(Dr. Anshuman, J)

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