

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43648 of 2025

Arising Out of PS. Case No.-174 Year-2024 Thana- DHANAHA District- West Champaran

Vineet Singh @ Vinit Singh @ Mantoo Singh @ Mantu Singh @ Vinit Kumar Singh S/o Harendra Singh @ Harendra Kishor Singh R/o Village- Khairawa, P.S.- Bhitaha, District- West Champaran (Bettiah)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Adv
Mr. Lokesh Kumar Singh, Adv
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-07-2025 Heard learned Senior Counsel for the petitioner and learned A.P.P for the State.

2. Earlier, the prayer of the petitioner for grant of anticipatory bail has been rejected by a co-ordinate Bench of this Court *vide* order dated 20.11.2024 passed in Cr. Misc. No. 77579 of 2024.

3. The petitioner seeks regular bail in a case registered for the offences punishable under Sections 103(1) and 3(5) of BNS and Section 27 of the Arms Act.

4. The prosecution case is to the effect that the informant's husband namely Vaibhav Kumar Rai had gone to Tamkuhwa Bazar and in the evening some unknown miscreants have killed him by shooting on his head. Further, it is alleged



that prior to the date of occurrence on the same day some person met him and among those one Govind Madhesiya with whom there was some talk with regard to exchange of money which was going on and had sought for legal action.

5. Learned Senior Counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case due to political rivalry between the parties as the wife of the petitioner had won the election of *Mukhiya* of *Khairwa Panchayat* defeating the informant. It is further submitted that the petitioner is not named in the F.I.R. rather his name has surfaced in the confessional statement of the co-accused Vikash Singh and till date no T.I.P. has been conducted for the identification of the petitioner to be involved in the said crime. It is next submitted that admittedly there is no specific allegation of over act alleged against the petitioner and if the confessional statement is taken into account, one co-accused Vijay Yadav @ Tiger has confessed that he had committed the said crime. It is also submitted that similarly situated co-accused persons, namely, Makhan Yadav and Viaksh Singh, on whose confession the name of the petitioner has surfaced in this case, have already been granted bail by this Court and the order of the same has been brought on record by way of Annexure-P/3. It is



lastly submitted that the petitioner has one criminal antecedent and is in custody since 23.12.2024.

6. Learned APP for the State has vehemently opposed the prayer for bail and has stated that during the course of investigation it has come that the petitioner had conspired in the killing of the husband of the informant. It is further stated that it was the petitioner who had asked the other persons including the persons who had shot upon the deceased, to commit such crime and had even paid the amount to the said persons, hence, he does not deserve the liberty of bail.

7. Considering the aforesaid submissions of the parties and taking into account the fact that there is no specific allegation of overt act against the petitioner coupled with the fact that the petitioner is in custody since 23.12.2024, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran, in connection with Dhanaha P.S. Case No. 174 of 2024, subject to the following conditions:-

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

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two



consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below 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 court below 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 the same or in the name of verification.

8. The application stands allowed.

9. It is made clear that if the learned Trial Court comes to a conclusion that petitioner, after his release, is trying to delay the trial in any manner, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Sourendra Pandey, J)

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