

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59889 of 2024

Arising Out of PS. Case No.-306 Year-2023 Thana- UJIYARPUR District- Samastipur

Vikash Kumar SON OF Late Mithlilesh Gop VILLAGE- SANDH (SANDH
BIGHA), PS- KARAI PARSURAI, DIST- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Rina Sinha, A.P.P

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

7 27-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Ujarpur P.S. Case No. 306 of 2023 lodged on 15.08.2023, for the offence punishable under Sections 302, 307, 353, 323 & 34 of the Indian Penal Code and sections 25(1-B)(a), 26, 27 & 35 of the Arms Act, pending in the Court of learned Sub-Divisional Judicial Magistrate, Dalsinghsarai, Samastipur.

3. The allegation in the First Information Report is that the police tried to apprehend the criminals who were involved in the cattle theft and in that process, the S.H.O caught hold of one of the accused whereas, other accused persons managed to flee away and the co-accused who was caught by the S.H.O. namely, Meghu Prasad shot at the S.H.O. in his eyes



and unfortunately, the S.H.O. died.

4. Learned counsel for the petitioner submits that although, the First Information Report has been lodged against five accused persons, but the petitioner is not named in the FIR and his name has transpired later on during the course of investigation by virtue of the confessional statement of one Dhananjay Kumar whose statement was taken in a different case. However, the said material would show that the petitioner was a part of the gang of criminals who were involved in the killing of the S.H.O. It has also been submitted that the thrust of the allegation rests upon one Meghu Prasad and he is in custody. Further, the petitioner is also in custody since 27.09.2023. It appears that earlier, a report with regard to the present stage of the trial had been called for and the report shows that till date, charges have not been framed in this case.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the prayer for regular bail of one of the co-accused namely, Rahish Kumar having similar allegation has already been rejected by the Co-ordinate Bench of this Court *vide* order dated 08.05.2024 passed in Cr. Misc. No.14242 of 2024. Further, it has also been submitted that the present petitioner has eight criminal cases pending against him.



6. Taking into consideration all the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner at this stage. Accordingly, the prayer for regular bail of the petitioner is hereby rejected with liberty granted to the petitioner that he may renew his prayer for bail after framing of charge.

(Soni Shrivastava, J)

Divyansh/-

U		T	
---	--	---	--

