

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60668 of 2025**

Arising Out of PS. Case No.-75 Year-2025 Thana- MOHIUDDIN NAGAR District-  
Samastipur

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Vikash Kumar @ Vikas Kumar S/o Jodhan Mahto @ Jodhnan Mahto R/o  
Village- Balkishunpur, Marwa, Gopalpur, P.S.- Vidhyapati Nagar, District-  
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Abhay Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      08-09-2025                      Heard Mr.Alok Kumar Sinha, learned counsel for the  
  
petitioners and Mr.Abhay Kumar, learned Additional Public  
  
Prosecutor for the State.

2. The petitioner is apprehending his arrest in  
connection with Mohiuddinnagar P.S.Case No.75 of 2025,FIR  
dated 27.04.2025 registered for the offences punishable under  
Sections 310(4),310(5),310(6),317(3),317(5) of BNS and  
Sections 25(1-b)a,26 and 35 of the Arms Act.

3. Allegation against the petitioner is that he  
alongwith other co-accused persons had assembled at co-  
accused Durgesh Kumar's Bathan for commission of offence  
but when police party raided the place they managed to flee  
from the spot and their names were disclosed by the



apprehended co-accused persons. Firearms and other incriminating articles were recovered from possession of apprehended co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of apprehended co-accused person and as per statement of apprehended co-accused person, it has been alleged that the petitioner has fled away from the place of occurrence. Learned counsel for the petitioner submits that except the confessional statement of apprehended co-accused person, namely, Durgesh Kumar, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the firearms and other articles have been recovered from possession of apprehended co-accused person.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, petitioner is not named in the FIR and the name of the petitioner has been transpired during investigation on the



basis of the confessional statement of apprehended co-accused person, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sahapur Patory, Samastipur in connection with Mohiuddinnagar P.S.Case No.75 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of BNSS, 2023 and with other following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the 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/her



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 or in the name of verification.

**(Rajesh Kumar Verma, J)**

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