

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61333 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Sujit @ Sujeet Kumar @ Sanjit Kumar @ Sanjeet Kumar S/o Late
Vishwanath Kuwar @ Vishwanath Kunvar @ Bishwanath Kuar Resident of
village - Bangara Nadi Par, P.S - Jalalpur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 62046 of 2025

Arising Out of PS. Case No.-30 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Vinod Yadav @ Vinod Kumar Yadav Son of Pashuram Yadav Resident of
Village - Bagawara Tola Bangara, P.S.- Duraundha, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 61333 of 2025)

For the Petitioner/s : Mr. Sanjay Kumar Pandey No, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

(In CRIMINAL MISCELLANEOUS No. 62046 of 2025)

For the Petitioner/s : Mr. Sanjay Kumar Pandey No, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 15-11-2025 Both the cases are being taken up together as they
arise out of Kuchaikote P.S. Case No.30 of 2025

2. Learned counsel for the petitioner in Cr. Misc.
No.62046 of 2025 seeks permission for withdrawal of the
present application with regard to the petitioner with a liberty
to renew his prayer for bail after framing of charge.



3. Permission is accorded.

4. Accordingly, the application i.e. Cr. Misc. No.62046 of 2025 is dismissed as withdrawn with the aforesaid liberty.

5. Heard learned counsel for the petitioner in Cr. Misc. No.61333 of 2023 and learned APP for the State.

6. The petitioner seeks bail in a case registered for the offence punishable under Sections 126(2), 115(2), 109(1), 309(4) of the B.N.S. read with Section 27 of the Arms Act.

7. The allegation in the first information report is that 3-4 unknown persons came on two motorcycles to the shop of the informant and indulged in firing and assaulting the nephew of the informant with butt of the pistol and stole jewellery and cash from the informant's shop worth Rs.3,80,000/-.

8. The learned counsel for the petitioner submits that the first information report has been lodged against unknown and the petitioner got arrested by the police subsequently in Sahajitpur P.S. Case No.11 of 2025 showing recovery of seized knife and phone on 01.02.2025 and it is only thereafter that the petitioner was remanded to the present case and was forced to make confessional statement before the



police which has no evidentiary value. It has been submitted that no Test Identification Parade has been conducted and the seized knife and the phone has no connection with the present case. Further, the petitioner is languishing in custody since 27.05.2025 and charge-sheet has been submitted.

9. Learned APP for the State opposed the grant of bail on the ground that the petitioner has four criminal antecedents in response to which it has been submitted that the petitioner who was arrested in one case has been remanded in the other cases in which his name did not appear as accused in the first information report.

10. Taking into account the facts and circumstances and also considering the fact that the name of the petitioner has surfaced on the basis of arrest made in a different case and the confessional statement made before the police having no evidentiary value and no recovery of any incriminating articles have been made from the possession of the petitioner coupled with the fact that no injuries has been caused to anyone in the said transaction, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court



below where the case is pending/successor Court in connection with Kuchaikote P.S. Case No.30 of 2025 subject to the following conditions :

- (i) *One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.*
- (ii) *The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.*

(Soni Shrivastava, J)

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