

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64498 of 2025

Arising Out of PS. Case No.-202 Year-2025 Thana- MIRGANJ District- Gopalganj

Vivek Kumar S/o Late Birendra Prasad @ Virendra Kumar Manjhi R/o
Village - Harkhauli, P.S - Mirganj, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 10-12-2025 Heard Mr. Saurabh Kumar, learned counsel for the

Petitioner and Mr. Mohammad Sufyan, learned APP for the

State.

2. Petitioner seeks regular bail in connection with
Mirganj P.S. Case No. 202 of 2025 dated 23.04.2025 registered
for the offence punishable under Section 310(2) of the Bharatiya
Nyaya Sanhita, 2023 (in short 'B.N.S.').

3. The main submissions advanced by the petitioner's
counsel are that the petitioner is a young person and was
initially arrested in Mirganj P.S. Case No. 203 of 2025 in
connection with offences under the Arms Act and as per the
prosecution, he made a confessional statement revealing his role
in other offences, including those related to the FIR in the
instant matter, after which he was remanded in the present and



other cases, however, the confessional statement has no evidentiary value. It is further submitted that, after the petitioner's remand in the present matter, the police failed to collect any incriminating evidence connecting him with the alleged loot and did not conduct a test identification parade to establish his identity, and no part of the looted articles was recovered from his possession. It is lastly submitted that the petitioner has been languishing in jail since 08.06.2025, and against him, the investigation has been completed. Though he has criminal antecedents of five other cases but he is on bail in all the said cases.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. Considering the aforesaid submissions, and mainly taking into account the petitioner's plea regarding the non-availability of any incriminating evidence against him except his own statement recorded before the police, and learned APP has not been able to rebut the said plea, in my opinion, at this stage, it is a fit case for granting bail to the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the



concerned Court in connection with Mirganj P.S. Case No. 202
of 2025 **on the condition:-**

(i) In view of the petitioner’s criminal antecedents, he shall be released after the framing of charges. If the charges have not been framed as yet then the trial court shall take steps to frame the charges upon the petitioner in accordance with the procedure of law. If, for any legal reason, the charges are not framed within one month then the petitioner shall be released on bail.

(Shailendra Singh, J)

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