

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2496 of 2026

Arising Out of PS. Case No.-82 Year-2024 Thana- MASAUDHI District- Patna

Vivek Kumar @ Mitthu @ Vivek Kumar Patel S/O Satyanarayan Singh
Resident of Village- Nahwan, P.S- Masaurhi, District -Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Chaudhary, Advocate
For the Opposite Party/s : Mr. C. Jawahar, APP
For the Informant : Mr. Shivendra Kumar Sinha, Advocate
Mr. Ranjeet Patel, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 23-02-2026 Heard Mr. Dinesh Chaudhary, learned counsel for the

petitioner; Mr. Shivendra Kumar Sinha, learned counsel for the

informant and Mr. C. Jawahar, learned APP for the State.

Perused the case diary.

2. The petitioner seeks bail in connection with
Masaurhi P.S. Case No. 82 of 2024 instituted for the offences
under Sections 302, 120B, 201/34 of the Indian Penal Code.

3. Prosecution case, in short, is that the informant
alleged that due to a land dispute, Vivek Kumar and his
associates murdered her husband on 30.01.2024 and his dead
body was found under Morhar river bridge next morning.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. Learned counsel further submitted that there is no eye-witness to the occurrence and the petitioner has been named merely on the basis of suspicion. Learned counsel further submitted that learned trial court, after examining five prosecution witnesses, acquitted the co-accused persons. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.08.2025 and has one criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner stating that as per the material available in the case diary, co-accused in his confessional statement has disclosed that the accused persons including the petitioner hatched a conspiracy and committed the murder of the deceased.

6. Considering the aforesaid facts and circumstances of the case, complicity of the petitioner in the alleged occurrence as also the nature and gravity of offence, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.



8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of four months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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