

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5662 of 2026

Arising Out of PS. Case No.-245 Year-2025 Thana- CHANPATIA District- West Champaran

Vikash Kumar S/O Krishna Mahto Resident of Vill- Nuniya Toli, Ward No-06, P.S.- Kalibagh, Dist- West Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-04-2026 Heard Mr. Sanjeev Kumar, learned counsel for the petitioner as well as Mr. Tapeswar Sharma, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 03.12.2025 in connection with Chanpatiya P.S. Case No. 245 of 2025, F.I.R. dated 18.11.2025 for the offences punishable under Sections 331(4) and 305(1) of the Bharatiya Nyay Sanhita, 2023 and Section 317(2), 317(4), 317(5) of the Bharatiya Nyay Sanhita, 2023.

3. The F.I.R of the occurrence of loot is against unknown.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation levelled against the petitioner is false and fabricated. Initially the petitioner was



not named in the FIR and his name transpired during investigation and thereafter the petitioner was apprehended and from his house Rs.14,639/- in cash and 10 silver coins was recovered. He next submits that the seizure list does not bear the signature of either petitioner or any of his family members and therefore there is non-compliance of Section 103 and 105 of BNSS and similarly situated co-accused person, namely, Binod Kumar @ Binod Mahto @ Vinod Kumar has been granted the privilege of bail by this Court vide order dated 31.03.2026 in Cr. Misc. No. 19502 of 2026. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 03.12.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and he is not named in the FIR and similarly situated co-accused person has been granted the privilege of bail by this Court and there is non-compliance of Section 103 and 105 of BNSS, let the petitioner, above named, 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 the learned Judicial Magistrate-1st



Class, Bettiah, West Champaran in connection with Chanpatiya
P.S. Case No. 245 of 2025, subject to the 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 absence on two consecutive dates without sufficient reason, his 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 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)

Suruchi/-

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

