

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4145 of 2026

Arising Out of PS. Case No.-184 Year-2024 Thana- KANKARBAG District- Patna

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Vidhya Prakash @ Jai Prakash S/o Sunil Kumar Tiwari Resident of village
and P.O. - Sabnima, P.S.- Athmalgola, Distt.- Patna Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-02-2026 Heard Mr. Rajiv Ranjan Kumar Pandey, learned counsel
for the petitioner and Mr. Madan Kumar, learned Additional Public
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection
with Kankarbagh P.S. Case No. 184 of 2024, F.I.R. dated
17.03.2024 for the offences punishable under Sections 307, 120(b),
34 of Indian Penal Code and Section 25(1-b)a, 26(i)(ii), 35 & 27 of
Arms Act.

3. As per the First Information Report, the informant
alleged that during patrol, he was informed that some miscreants
fired shots in air near Madhur Milan Hotel and when he along with
other police personal reached there, he got information from the
local people that four people in white scorpio had come with
intention of committing a crime but after failing to do so, fired four
rounds in air and left.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Initially the petitioner was not named in the FIR and his name transpired on the basis of confessional statement of co-accused person, namely, Ajay Kumar Pandey and except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph-3 of the bail application that the petitioner is on bail in the said matter.

6. Considering the aforesaid facts and circumstances, petitioner is not named in the FIR and his name transpired on the basis of confessional statement of co-accused person, let the petitioner, above named, in the event of 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 the learned Chief Judicial Magistrate,



Patna in connection with Kankarbagh P.S. Case No. 184 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 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 bond 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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