

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5205 of 2026

Arising Out of PS. Case No.-298 Year-2025 Thana- ROSERA District- Samastipur

Vikash Kumar, Son of Rameshwar Rai @ Parmeshwar Rai, Resident of
village - Rahmatpur, Ward no. 2, P.S.- Muffasil, Dist- Samastipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 25-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Rosra
P.S. Case No. 298 of 2025 dated 08.09.2025 instituted for the
offence punishable under Sections 137(2), 103, 238, 3(5) of the
Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the brother of the
informant, namely, Shyam Bihari went to the house of the
Contractor, namely, Sanjay at Samastipur to meet him. It is
further submitted that on next day, the informant and his family
tried to contact his brother on his mobile phone but it was found
switched off. After searching a lot, whereabouts of his brother
was not found.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner further submits that the mobile of the petitioner was used by Sanjay (Contractor) to call the brother of the informant and only on that basis, the petitioner has been made accused in this case. The petitioner has sold the mobile phone with SIM cards to said Sanjay Contractor. Except this, there is no material against the petitioner. There is no eye-witness to the occurrence. In the entire case diary, nothing incriminating material has come against the petitioner except that his mobile phone and SIM Cards was used. The petitioner was working in the sweet shop of Chaman Sah at Dalsighsarai and he has no concern with the alleged crime. Lastly, it has been submitted that the petitioner is in custody since 16.09.2025 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., 1st, Rosera,



Samastipur in connection with Rosera P.S. Case No. 298 of
2025.

(Khatim Reza, J)

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