

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5180 of 2026

Arising Out of PS. Case No.-370 Year-2025 Thana- PATNA CITY CHOWK District- Patna

Vikash Kumar @ Blackberry @ Vikas Kumar S/O Surendra Rai R/O
Mohalla- Jhauganj Ghat, P.S.- Chowk, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-03-2026 Heard Mr. Pramod Kumar, learned counsel for the

petitioner and Mr. Awadhesh Kumar Singh, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
14.09.2025 in connection with Chowk P.S. Case No. 370 of
2025, F.I.R. dated 13.09.2025 for the offences punishable under
Sections 308(3), 308(4), 308(5), 318(40, 61(2), 112(2) and 395)
of the BNS, 2023 and Sections 25(1-b)a, 26 and 35 of the Arms
Act.

3. According to prosecution case, a raid was
conducted by the police personnel where two country made
pistols and 20 live cartridges were found from the house of the
petitioner who also confessed that he along with other accused
persons purchased these weapons and used them for demanding



extortion money.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R as well as seizure lists that altogether 2 country made pistols and 20 live cartridges have been recovered from the house of the petitioner. There is non-compliance of Section 103/105 of the BNSS, 2023. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 14.09.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the recovery has been made from the house of the petitioner and apart from that the petitioner carries eight criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances that there is non-compliance of Sections 103/105 of the BNSS, 2023, 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 Additional Chief Judicial Magistrate-VI, Patna City in connection with Chowk P.S. Case No. 370 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)

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