

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10004 of 2026

Arising Out of PS. Case No.-49 Year-2025 Thana- ROSHANGANJ District- Gaya

Vikash Kumar Son of Late Bilash Das Resident of Village - Ambakhar, Tola -
Bhawani Dih, P.S. - Roshanganj, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

4 01-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Roshanganj P.S. Case No. 49 of 2025, registered for the offence
under Sections 103(1), 238, 3(5) of the Bhartiya Nyaya Sanhita,
2023 and Section 27(3) of the Arms Act.

3. As per the prosecution case, on 06.04.2023, the
informant's husband (deceased) went along with Ganesh Sao
and he had told the informant that the co-accused Mantu Kumar
was calling him for two days so he was going to meet him. It is
further alleged that the deceased had informed the informant
that he was along with the co-accused Mantu Kumar and he
would return after one hour but he did not return. Thereafter, she
called on the mobile number of the co-accused Mantu Kumar
who told that the deceased had gone along with the other person



and he also informed that he fled away after hearing the sound of firing and he denied to search the deceased as it was night and he told that he would search the deceased in the next morning and in the next morning, the dead body of the deceased was found.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. His name has surfaced in the present case during the course of investigation and the police arrested him merely on the basis of suspicion and forcibly took his signature on the blank paper which has been subsequently utilized for the confessional statement of the petitioner. The petitioner has not confessed his involvement in the alleged offence and all the confession for his involvement in the alleged offence before the police is completely false and concocted. It is further submitted that except the confessional statement of the petitioner, there is no other substantive evidence to suggest the implication of the petitioner in the present case. No incriminating article has been recovered either from the possession of the petitioner or from his house. It is further submitted that the petitioner has no concern either with the co-accused Mantu Kumar or with the



alleged offence but due to co-villager of the deceased, the petitioner has falsely been dragged in the present case. There is no any enmity or any motive of the petitioner either with the informant or with her deceased-husband. There is no eye witness to the alleged offence. It is further submitted that the confessional statement of Ganesh Sao has been recorded which is available in paragraph no. 23 of the case diary in which he has not named the petitioner. It is further submitted that the confessional statement of the co-accused Mantu Kumar has also been recorded which is available in paragraph no. 33 of the case diary in which it has been stated that Baba @ Kamaldeo Kumar @ Kamaldeo Singh Bhokta took all money from the pocket of Deepak (deceased) and shot him dead. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 10.04.2025. It is further submitted that co-accused Sunil Yadav and Ashok Yadav have been granted the privilege of bail by coordinate a coordinate Bench of this Court by orders dated 15.11.2025 passed in Cr. Misc. Nos. 58065 of 2025 and 58101 of 2025.

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

6. Considering the facts and circumstances of the case



and parity, let the, above named, petitioner 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 learned J.M. 1st Class, Sherghati at Gaya, in connection with Roshanganj P.S. Case No. 49 of 2025.

(Praveen Kumar, J)

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