

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12679 of 2026

Arising Out of PS. Case No.-261 Year-2025 Thana- MUSAHARI District- Muzaffarpur

Vijay Kumar S/o Raj Kishore Sah R/o Village- Rajwara Bhagwan, P.S-
Mushahari, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar Chaubey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-04-2026 Heard Mr. Upendra Kumar Chaubey, learned
counsel for the petitioner as well as Mr. Shailendra Kumar,
learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
18.11.2025 in connection with Mushahari P.S. Case No.261 of
2025, F.I.R. dated 04.11.2025 for the offences punishable under
Sections 303(2), 334(1) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, it is alleged that
some unknown miscreants looted items worth of Rs.90,000/-
from the shop of the informant.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. Petitioner is not named in the FIR
and his name transpired on the basis of CCTV footage and



thereafter some articles were recovered from the house of the petitioner. He further submits that there is non-compliance of Section 103 and 105 of BNSS and similarly situated co-accused person, namely, Bhuklu Kumar @ Bhukhlu Kumar has been granted the privilege of bail by this Court vide order dated 27.01.2026 in Cr. Misc. No. 3751 of 2026. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 18.11.2025.

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

6. Considering the aforesaid facts and circumstances, 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 1st Class Judicial Magistrate, Muzaffarpur East in connection with Mushahari P.S. Case No.261 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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