

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23572 of 2026**

Arising Out of PS. Case No.-110 Year-2025 Thana- RAJAPAKAR District- Vaishali

Vishal Kumar @ Fudan, aged about 22 years, Male, Son of Sunil Rai,  
Resident of Village- Chiknauta, P.S.- Hajipur Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shivjee Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA**  
**ORAL ORDER**

5      24-06-2026                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Rajapakar P.S. Case No. 110 of 2025 instituted for the offences  
punishable under Sections 103(1) and 3(5) of the BNS, 2023  
and Section 27 of the Arms Act.

3. As per the prosecution case, accused persons fired  
upon the informant, son and grandson due to which her son  
sustained grievous injury and died during the course of  
treatment.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has committed no offence and has  
falsely been implicated in this case. He submits that petitioner's  
name has not figured in the FIR but the present FIR has been  
lodged against two motor cycle riders. He further submits that



co-accused Sushil Kumar and Vishal Kumar @ Fudan were arrested in Bidupur P.S. Case No. 229 of 2025 and co-accused Sushil Kumar confessed his complicity in the alleged crime with the petitioner. He next submits that the petitioner was arrested by the police and confessed his guilt and was remanded in the present case. He lastly submits that petitioner has not been arrested from the spot and all the allegation leveled against him is false and concocted. He again submits that there is no Test Identification Parade conducted till date and except confession of co-accused Sushil Kumar no evidence found against the petitioner. Petitioner has got 11 (eleven) criminal antecedents as stated in para 3 of the petition and he is in custody since 06.05.2025.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR, case diary, postmortem report, status report and also perused the impugned order dated 30.01.2026 passed by the learned Sessions Judge, Vaishali, Hajipur, it appears that on the basis of *fardbeyan* of the informant (mother of the deceased), FIR has been registered under Sections 103(1) and 3(5) of the BNS, 2023 and Section 27 of the Arms Act against the petitioner. It also appears that



during investigation petitioner was arrested by the police and has confessed his guilt. Petitioner has 11 (eleven) criminal antecedents and the offences are serious in nature. From perusal of the status report vide letter no. 95/2026 dated 18.05.2026, it appears that the chargesheet has been submitted on 30.06.2025 and police paper has been received by three accused persons and for the fourth co-accused, police paper has been sent through Jail Superintendent, Alipore, West Bengal and the next date of hearing is 25.05.2026, trial is in progress, so considering the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant regular bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

**(Ramesh Chand Malviya, J)**

Anand Kr.

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