

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27951 of 2026

Arising Out of PS. Case No.-499 Year-2024 Thana- MASHRAK District- Saran

Vivek Kumar Son of Virendar Ray Resident of village - Munza Bakhari
Matiari (Near School, Hemu Chhapra), P.O.- Bakhri, P.S.- Baikunthpur,
District - Gopalganj 841420.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 15-05-2026 Heard Mr. Jeetendra Narayan, learned counsel for the
petitioner and Mr. Tarun Prasad Mandal, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
26.02.2026, in connection with Mashrakh P.S. Case No. 499 of
2024, F.I.R. dated 17.08.2024 registered for the offences
punishable under Sections 309(4) of the B.N.S., 2023.

3. The F.I.R. of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that the petitioner is not named in
the F.I.R. and the name of the petitioner has been transpired on the
basis of confessional statement of co-accused person namely
Kamlesh Kumar and except the confessional statement of co-



accused person, no other cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence and till date no TIP was conducted by the prosecution and nothing has been recovered from the conscious possession of the petitioner or the house of the petitioner. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 26.02.2026.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries six more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that out of six cases the petitioner is on bail in five cases and one case is pending for consideration before the competent court of law.

6. Considering the facts and circumstances of the case and the fact that the petitioner is not named in the F.I.R and the name of the petitioner has been transpired on the basis of confessional statement of co-accused person and till date no TIP was conducted by the prosecution, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VII, Saran at Chapra in



connection with Mashrakh P.S. Case No. 499 of 2024, subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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)

Ibrar//-

U		T	
---	--	---	--

