

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43314 of 2026

Arising Out of PS. Case No.-96 Year-2024 Thana- BHAGWANPUR District- Vaishali

Vipin Kumar Singh S/o Kailash Singh R/o Village - Ramchandra Dohaji, P.S -
Sarai, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-07-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 29.04.2024 in connection with Bhagwanpur P.S. Case No. 96 of 2024 for the offences punishable under Sections 399, 402, 414 of the IPC and Sections 25 (1B)(a), 26, 35 of the Arms Act.

3. The prosecution story in brief is that on 16.04.2024 one Samim Akhtar inspector-cum S.H.O. Bhagwantpur police station give a written statement on 16.04.2024 in which he states that he was on vehicle checking with police personals then received an information that 5-6 persons are sitting at village Syampur Mangalastan for committing Docaity, after informing the senior officers, he constitute a police team and proceed on the place and reached at 3:00 P.M. near Mangalastan, on seeing



the police five person sitting on a chavutra at Mangalasthan try to flee away, but apprehended by the police personals and officers and in presence of police witnesses they were searched and on enquiry they disclose their name as 1.Pankaj Kumar aged about 22 years, son of Phokan Sani resident of village Imadpur, P.S. Bhagwanpur 2. Rakesh Kumar aged about 21 years son of Mohan Paswan resident of village Madhopur, P.S. Sarai, 3. Neeraj Kumar aged about 20 years son of Suresh Rai, resident of village Hansi cable P.S. Bagwanpur, 4. Neeraj Kumar alias Golu aged about 19 years son of Amardeep Sahni resident of village Imadpur P.S. Bhagwanpur District Vaishali, 5. Vipin Kumar Singh aged about 50 years son of late Kailash Singh, resident of village Ramchandra dohaji, P.S. Sarai, District -Vaishali. On search from the body of the apprehended persons a loaded country made katta with .315 bore cartridge was recovered from the of Intel vest of Pankaj Kumar and two mobile set one company and 2nd one is of Redmi has been recovered. From Rakesh Kumar 315 bore live cartridge and a Realmi company mobile were recovered. From Neeraj Kumar 7.65 bore live cartridge and Vivo company mobile was recovered. From Neeraj Kumar alias Golu a Vivo mobile has been recovered. From Vipin Kumar Singh a loaded desi katta



with 315 bore live cartridge was recovered. Accordingly seizure list has been prepared and handed over to each persons, on inquiry about the arms and mobiles they fail to produce any paper or license on further query about their gathering they initially refuse to state anything but after sometime Pankaj Kumar disclosed that one Abhay Sahni son of Shiv Chandra sahani, resident of village Raghunathpur P.S. Bhagwanpur District Vaishali call them to commit loot in the mini bank (customer service centre), who was here but a few minutes ago he went to talk with an informer and the arms recovered for them were also given by said Abhay Sahni and this statement has been supported by other apprehended persons, Pankaj also disclosed that the Redmi mobile recovered from him is looted article from Gajraul village of Mahua PS on 15.03.2024 he also disclosed that Rakesh and Abhay came together but before committing the crime they were apprehended.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. It is next submitted that it appears from the FIR and seizure list that that one looted country made pistol was recovered from the possession of the petitioner. Learned counsel for the petitioner submits that in fact nothing has been recovered from the



possession of the petitioner rather the police has planted the same and shown that recovery has been made from the possession of the petitioner. It is next submitted that from perusal of the seizure list it appears that the seizure list witnesses are police personnel so there is non-compliance of mandatory provisions of Sections 103 and 105 of BNSS, 2023. Learned counsel for the petitioner next submits that charge has been framed against the petitioner on 18.12.2024 and petitioner is in custody since 29.04.2024 and the trial has not been progressed.

5. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner and submits that petitioner has antecedent of two cases other than the present case but fairly submits that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances and the fact that charge has been framed against the petitioner on 18.12.2024 and the trial has not been progressed as well as the period of custody, 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 District and Additional Sessions



Judge Xth, Vaishali at Hajipur in connection with Bhagwanpur
P.S. Case No. 96 of 2024, 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)

Gaurav Sinha/-

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