

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39863 of 2026

Arising Out of PS. Case No.-1310 Year-2025 Thana- PHULWARISHARIF District- Patna

Vivek Kumar Son of Chandradeep Kumar @ Chandradeep Kumar Singh
Resident of village- Sipara, IOC Road, Hind Nagar, Ps- Beur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2026 Heard Mr.Bhavesh Kumar Sah, learned counsel for
the petitioner and Mr.Nitya Nand Tiwary, learned Additional
Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
09.04.2026 in connection with Phulwari Sharif (Janipur) P.S.
Case No. 1310 of 2025, F.I.R. dated 12.08.2025 registered for
the offence punishable under Sections 309(4),3(5) of BNS and
Section 27 of Arms Act.

3. The FIR of the occurrence of loot is against
unknown.

4. Learned counsel for the petitioner submits that
initially the petitioner was not named in the FIR. The name of
the petitioner has been transpired during investigation on the
basis of the confessional statement of co-accused person,



namely, Deepak Kumar and nothing has been recovered from conscious possession of the petitioner and only one mobile phone was recovered from possession of the petitioner and the same is belonged to the petitioner and co-accused persons, namely, Deepak Kumar @ Dipak Kumar and Md. Azad have been granted bail by a Coordinate Bench of this Hon'ble Court vide orders dated 21.01.2026 and 25.02.2026 passed in Cr. Misc. Nos.2472 of 2026 and 14100 of 2026 and the petitioner is in custody since 09.04.2026.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, petitioner is not named in the FIR, the name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person and co-accused persons have been granted bail by a Coordinate Bench of this Hon'ble Court, 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 learned A.C.J.M.-IV,



Patna in connection with Phulwari Sharif (Janipur) P.S. Case No. 1310 of 2025, with 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/her absence on two consecutive dates without sufficient reason, his/her 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)

Nitesh/-

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

