

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44106 of 2025

Arising Out of PS. Case No.-663 Year-2024 Thana- JAHANABAD District- Jehanabad

Vivek Sharma @ Vivek Kumar S/o Satish Sharma R/o vill - Sumera, P.S. -
Tehta, Distt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 21-01-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner apprehends his arrest in
connection with Jehanabad P.S. Case No. 663 of 2024 registered
for the offence under Section 140(3) of the BNS and later
Sections 103(1) and 238 of the BNS were also added.

3. As per the prosecution case, the petitioner is
suspected to have killed his wife.

4. It has been submitted by the learned counsel for
the petitioner that the petitioner is innocent and he has falsely
been implicated in this case. He further submits that though the
allegation against the petitioner is of killing his wife but the
minor daughter of the petitioner has said in her statement that
her mother has gone somewhere when the petitioner was
beating his daughter.



5. Considering the facts of the case and also the fact that except for suspicion, nothing has come against the petitioner, this application is allowed.

6. Let the petitioner, above named, in the event of his arrest or surrender before the concerned Court below within four weeks from today, 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 Chief Judicial Magistrate, Jehanabad/concerned Court below in connection with Jehanabad P.S. Case No. 663 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

7. As a condition of this order, the Court below, before accepting the bail bonds of the petitioner is directed to verify the fact that the children, who are born out of the wedlock of the petitioner and the deceased are staying with the petitioner or not. It is made clear that that the bail bonds of the petitioner shall only be accepted if the children of the petitioner are staying with him.

(Sandeep Kumar, J)

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