

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55423 of 2025

Arising Out of PS. Case No.-422 Year-2021 Thana- AHYAPUR District- Muzaffarpur

Vishal Kumar Jha @ Vishal Jha @ Raja S/o Late Nand Kishore Jha R/o
Village - Manikchowk, P.S - Runnisaidpur, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 12-02-2026 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 120 (b) and 34 of the I.P.C and Section 27 of Arms Act.

3. As per the prosecution case, informant's brother was shot dead by two unknown persons.

4. Learned counsel for the petitioner submits that the First Information Report has been lodged against unknown and the name of the petitioner transpired through the confessional statement of co-accused, Ayush Singh, who has already been granted bail by an order dated 16.12.2022 passed in Cr. Misc. No. 55769 of 2022 (Annexure-P/2). It is further submitted that a number of other co-accused persons with criminal antecedents have also been granted bail by different co-ordinate Benches of this Court. Further, submission on



behalf of the petitioner is that it would be evident from the confessional statement of Ayush Singh recorded in paragraph 29 and also from the CCTV footage which forms a part of the case diary that one Kanhayi Singh and Abhishek Mishra had been identified as the persons who had resorted to firing upon the deceased. The petitioner is in custody since 28.02.2025 and no substantial progress has been made in the case.

5. Learned APP for the State opposes the bail petition.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that beyond confessional statement there is no other material against the petitioner rather the thrust of allegation is against other co-accused persons and similarly situated co-accused persons have already been granted bail by the co-ordinate Benches of this Court, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ahiyapur P.S. Case No. 422 of 2021.

7. However, since it appears that it was on account of delayed appearance of this petitioner that a delay has been caused in the trial, let the trial court now proceed without giving any unnecessary adjournments and in case charges have not been framed till yet the petitioner shall be available on the next date fixed in the



case for framing of charge.

8. Further, the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

vashudha/-

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