

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54128 of 2025**

Arising Out of PS. Case No.-473 Year-2023 Thana- KUDRA District- Kaimur (Bhabua)

Vivek Kumar @ Vikky @ Vikky Soni S/O Jagdish Singh @ Jagdish R/O
Village- Subash Nagar (Subash Nagar),1171, Mughalsarai(Mugalsarai), P.S.-
Kotwali, District- Chandauli (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan, Adv

For the Opposite Party/s : Mr. Jharkhandi Upadhayay APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 10-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt on behalf of the
petitioner for grant of bail in connection with Kudra P.S.Case
No. 473 of 2023 registered for the offence punishable under
Sections 461 and 379 of the Indian Penal Code.

3. Earlier the bail application of the petitioner has
been rejected vide order dated 22.01.2025 passed in Cr. Misc.
No.76315 of 2024, which reads as under:-

Heard the parties.

*2. The petitioner seeks bail in
connection with Kudra P.S.Case No.473
of 2023 registered for the offence under
section 461 and 379 of the Indian Penal
Code.*



3. As per the prosecution case, the petitioner is accused of taking away the ATM by cutting it. Materials have come during investigation to connect the petitioner with the crime.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence. Petitioner is in custody since 13.08.2024 and he has three criminal antecedents and in all cases he is on bail.

5. Learned APP has vehemently opposed the prayer for bail.

6. Considering the serious nature of allegation levelled against the petitioner, this Court is not inclined to grant bail to the petitioner, this application is dismissed.”

4. Learned counsel for the petitioner submits that the charge has been framed.

5. Considering the gravity of the offence and the fact that the trial has started, I am not inclined to review my earlier order.

6. Accordingly, the application stands dismissed.

7. The Superintendent of Police, Kaimur at Bhabhua is directed to ensure the appearance of the witnesses in the trial as all the witnesses are police personnels so that the trial is not delayed.

8. Let a copy of this order be communicated to the



Superintendent of Police, Kaimur at Bhabhua forthwith through
FAX or e-mail for its compliance.

(Sandeep Kumar, J)

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