

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69518 of 2025

Arising Out of PS. Case No.-713 Year-2024 Thana- SIKARPUR District- West Champaran

Vivek Srivastava @ Vivek Shrivastava S/O Rabindra Kumar Verma R/O
Village- Sahasrao, Ward No. 11, Police Station- Bhairoganj (Bagaha),
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

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

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 11-02-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. This is the 2nd attempt of the petitioner. The
petitioner seeks bail in connection with Shikarpur P.S. Case No.
713 of 2024 registered for the offence under Sections 309(5) of
the Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-B)a, 26
and 35 of the Arms Act.

3. Earlier the bail application of the petitioner was
rejected on 19.02.2025 in Cr. Misc. No. 9519 of 2025 which
reads as follows:-

*Heard learned counsel for the
petitioner and learned APP for the State.*

*2. The petitioner seeks bail in
connection with Shikarpur P.S. Case No. 713 of
2024 registered for the offence punishable under*



Sections 309(5) of the B.N.S. and sections 25(1-B)a, 26 and 35 of Arms Act.

3. As per the prosecution case, the petitioner and other accused persons have tried to commit robbery. They were caught on the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is in jail since 09.10.2024.

5. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

6. Considering the aforesaid submissions as also the fact that the petitioner has been caught on the spot, I am not inclined to grant bail to the petitioner though similarly situated co-accused has been granted bail.

7. Accordingly, the present bail application stands dismissed.

4. This Court finds no ground to review its earlier order. Accordingly, this application for regular bail stands rejected.

5. The Trial Judge is directed to frame the charges in the case.

(Sandeep Kumar, J)

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