

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73174 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- BARAUNI District- Begusarai

Vivek Kumar @ Viveka Kumar @ Viveka Kr S/O Harsh Chaudhary Resident
of Vill.- Dadpur, P.S.- Bhagwanpur, (Tiyari O.P.), Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 11-02-2026 Heard the learned counsel for the petitioner, learned
APP for the State and learned counsel appearing for the
Opposite Party No. 2 .

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 103 (1), 62 and 3 (5) of
B.N.S.

3. As per the prosecution case, some unknown persons
brutally murdered the two sons of the informant.

4. Learned counsel for the petitioner submits that the
prosecution has tried to make out a case against the petitioner
that the confessional statement of the petitioner has led to
recovery of hammer and bloodstained articles which is not
correct in view of the fact that while the confessional statement
of the petitioner is said to have been recorded on 22.04.2025 at
5:10 a.m as indicated in paragraph 4 of the case diary, the First



Information Report itself would show that it was lodged on 22.04.2025 at 11.00 a.m. which means that even prior to lodging of the First Information Report, the said confessional statement was recorded by the police. If such was the situation, there is no reason why the F.I.R itself did not mention the names of the accused persons as also the recovery of articles. Further, the petitioner is in custody since 22.04.2025 and charges have already been framed.

5. Learned A.P.P. for the State and learned counsel appearing for the Opposite Party No. 2, however, vehemently oppose the grant of bail on the ground that it is a double murder case in which two persons of the same family have been done to death and this petitioner is the *gotia* who is responsible for the said death. It is further undertaken by the counsel for the informant that now as the charges have already been framed, he would be producing his witnesses expeditiously and would not take unnecessary adjournments.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that the present case involves murder of two persons and there is material collected during investigation against the petitioner and coupled with the undertaking given by the informant that he



would expeditiously get the witnesses examined, this court is not inclined to grant bail to the petitioner at this stage.

7. However, the petitioner is granted liberty to renew his prayer for bail in case substantial number of witnesses are not examined within a period of three months.

(Soni Shrivastava, J)

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