IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76138 of 2026

CNR No. BRHC011043982026

Arising Out of PS. Case No.-699 Year-2026 Thana- RAMKRISHNANAGAR District- Patna

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Vishal Kumar Son of Satyendra Rai @ Satyendra Ray Resident of - Raghunath Tola, Anishabad, P.S.- Gardanibagh, District - Patna.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Mritunjay Kumar, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. The petitioner seeks bail in connection with Ramkrishna Nagar P.S. Case No. 699 of 2026 registered for the alleged offences under Sections 111(1), 61(2), 3(5) of BNS and Sections 25(1-b)a, 26, 35 of the Arms Act.

3. As per the prosecution case, the petitioner, being a member of a gang involved in land grabbing and other unlawful activities, was apprehended on the basis of the disclosure made by a co-accused. Several other co-accused persons were also apprehended on similar allegations. Firearms and ammunition were recovered from the other co-accused persons.

04. Learned counsel for the petitioner submits that the

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petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the petitioner and only allegation against the petitioner is that the petitioner has been working as a member of organized crime gang. Though, nothing incriminating was recovered from the person or possession of the petitioner, in order to justify the arrest of the petitioner, the police falsely implicated the petitioner under Section 111(1) of BNS. Learned counsel also submits that only article which has been recovered from the petitioner is mobile phone and no firearms or ammunitions were recovered from the petitioner. The recovery has been made from the co-accused persons at different places and petitioner has no concern either with the apprehended persons or the recovery made from them. Learned counsel further submits that similarly situated co-accused Rajveer Kumar, Gautam Kumar, Sonu Kumar and Shailesh Kumar have been granted bail vide orders dated 23.09.2026 in Cr. Misc. No. 68378 of 2026, 07.10.2026 in Cr. Misc. No. 71920 of 2026, 08.10.2026 in Cr. Misc. No. 72082 of 2026 and 08.10.2026 in Cr. Misc. No. 63836 of 2026 respectively. Learned counsel further submits that the petitioner has no criminal antecedent and he is in custody since 06.07.2026, therefore, the petitioner deserves the privilege of

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regular bail.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that no recovery has been shown from the petitioner, the period of custody of the petitioner and that several similarly situated co-accused persons have been granted regular bail, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M.F.C, Patna/concerned Court in connection with Ramkrishna Nagar P.S. Case No. 699 of 2026, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move

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for cancellation of bail.

(iii) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Girijish Kumar, J)

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