IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74743 of 2026

CNR No. BRHC011056832026

Arising Out of PS. Case No.-266 Year-2025 Thana- BASOPATTI District- Madhubani

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VIKASH SAW @ VIKASH KUMAR SAH @ VIKASH SAH Son of Mahadev Sah @ Mahdev Sah @ Mandev Sahu @ Mandeo Sah Resident of village - Manmohan, P.S.- Basopatti, District - Madhubani

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Bhavesh Kumar Sah, Advocate
For the Opposite Party/s : Ms.Dr. Indiwar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 06-11-2026 Heard Mr.Bhavesh Kumar Sah, learned counsel for the petitioner and Ms.Dr. Indiwar Kumari, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 02.11.2025 in connection with Basopatti P.S. Case No. 266 of 2025, F.I.R. dated 01.11.2025 registered for the offence punishable under Sections 109,303(2),3(5) of BNS and under Section 27 of Arms Act.

3. Learned counsel for the petitioner submits that earlier the petitioner has been granted regular bail vide order dated 04.05.2026 passed in Cr. Misc. No. 29495 of 2026 but the bail bond of the petitioner was not accepted, so the petitioner

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has moved before this Court for modification of the order dated 04.05.2026 passed in Cr. Misc. No. 29495 of 2026 by filing criminal miscellaneous application i.e. Cr. Misc. No. 47705 of 2026 but the same was dismissed vide order dated 10.07.2026. Learned counsel for the petitioner further submits that earlier the petitioner has recorded in the bail petition that the petitioner carries one more case other than the present one but in fact the petitioner carries two more cases other than the present one, on that ground, the bail bond of the petitioner was not accepted by the learned Trial Court. Further submits that from a bare perusal of the FIR it appears that there is no specific allegation against the petitioner rather allegation against the petitioner and other co-accused person appears to be general and omnibus in nature. The petitioner is in custody since 02.11.2025.

4. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one but he fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

5. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount

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each to the satisfaction of learned Judicial Magistrate 1st Class, Madhubani in connection with Basopatti P.S. Case No. 266 of 2025, with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move 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 antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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