

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76338 of 2025

Arising Out of PS. Case No.-164 Year-2025 Thana- PIRPAINTI District- Bhagalpur

Vikash Kumar Yadav @ Vikash Kumar @ Vikki S/O Balvir Yadav R/O
village- Ithari, P.S.- Meharna District- Godda Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 19-01-2026 Heard Mr. Diwakar Upadhyaya, learned counsel for
the petitioner and Mr. Dr. Ajeet Kumar, learned APP for the
State.

2. The petitioner has prayed for bail in connection
with S.Tr. No. 796 of 2025 arising out of Pirpainty P.S. Case
No. 164 of 2025 registered for the offence punishable under
Section 311 of the B.N.S., 2023.

3. The case of the prosecution in short is that certain
miscreants have taken away the bike and mobile of the
informant and they have also looted another biker. The FIR was
lodged against the unknown miscreants.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this



case. During the course of investigation, three persons were apprehended and they are identified as co-accused, namely, Abhishek Kumar, Ashish Kumar and Md. Sonu @ Ishtekar, and they have disclosed the name of this petitioner. As per the case of the prosecution, a mobile was recovered from the possession of this petitioner. Learned counsel for the petitioner also submits that from the perusal of the seizure list of this petitioner, it will transpire that there is overwriting in the mobile number of the deceased mobile. It has further been submitted that while making the seizure, the police have not complied with Section 105 of the BNSS. The seizure of the witnesses are police personnel, which has no evidentiary value in the eyes of the law. Moreover, the petitioner is languishing in judicial custody since 28.04.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of one case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties



of the like amount each to the satisfaction of the learned District
& Additional Sessions Judge-XIII, Bhagalpur in connection
with S.T. No. 796 of 2025 arising out of Pripainty P.S. Case No.
164 of 2025.

(Ashok Kumar Pandey, J)

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