IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81654 of 2026

CNR No. BRHC011191252026

Arising Out of PS. Case No.-107 Year-2026 Thana- BELHAR District- Banka

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Vickey Kumar @ Bikki Kumar @ Vikki Kumar S/O Rajendra Das R/O Vill.- Bandra (Bhandra), P.S- Barhat (Barhet), Dist- Jamui

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 25-11-2026 Heard learned counsel for the petitioner and learned A.P.P. on behalf of the State.

2. This application is filed for grant of regular bail to the petitioner who has been made accused in connection with Belhar P.S. Case No. 107 of 2026, G.R. No. 1605 of 2026 registered for the offences punishable under Sections 309(6) of the B.N.S.

3. As per the prosecution case, the informant along with her mother was travelling in a toto rickshaw when two unknown persons on a motorcycle stopped the rickshaw, abused them and attempted to snatch the informant's mother's bag. On her mother's resistance, one accused fired from a country-made pistol, causing bullet injury on her knee. It is alleged that the

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accused persons snatched the bag containing gold ornaments and Rs. 49,700/- cash and fled away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged in the FIR and has been falsely implicated in the present case only on the basis of suspicion. It is submitted that the petitioner is not named in the FIR and the name of the petitioner surfaced during investigation only on the basis of the confessional statement of the co-accused, namely, Aman Kumar. Further, it is submitted that there is no direct material connecting the petitioner with the alleged occurrence and nothing has been recovered from the conscious possession of the petitioner.

5. From the perusal of the impugned order, it goes to show that the injury is simple in nature. It is also stated that there has been no identification of the petitioner by the informant.

6. Learned counsel for the petitioner submits that investigation has been completed and charge-sheet has been filed against the petitioner and the petitioner is in judicial custody since 12.07.2026 having three criminal antecedents.

7. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

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8. Considering the fact that the petitioner is not named in the FIR and the name of the petitioner surfaced during investigation only on the basis of the confessional statement of the co-accused and from the perusal of the CCTV footage of the bank, it goes to show that there is no connection of the petitioner with the place of occurrence and also taking into consideration the period of custody and the materials available on record, I am inclined to grant bail to the petitioner, above named, on furnishing bail bond of Rs.10,000/- (Ten thousand rupees) with two sureties of the like amount each to the satisfaction of the Court of learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 107 of 2026, G.R. No. 1605 of 2026 on the following conditions:-

(i) That one of the bailors should be family member of the petitioner.

(ii) That the petitioner will cooperate in the trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the Court, he should physically appear in Court on that date.

(iii) If the petitioner tampers with the evidence or threatens the witnesses, in that case, the prosecution will be at

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liberty to move for cancellation of bail.

(iv) The trial Court shall verify the criminal antecedents of the petitioner and if at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial Court shall take steps for cancellation of the bail bond of the petitioner. However, the acceptance of bail-bond shall not be delayed for the purpose of in name of verification.

(Kumar Manish, J)

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