

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81947 of 2025

Arising Out of PS. Case No.-682 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Vikash Kumar, aged about 26 years, Male, Son of Uma Ray, Resident of
Village- Dighi Kala West, Ward No. 3, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Prasad Sinha, Advocate

For the Opposite Party/s : M. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 23-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Hajipur Sadar P.S. Case No. 682 of 2025 instituted for the
offences punishable under Sections 310(4), 310(5) of the BNS
and Sections 25(1-b) a, 26 and 35 of the Arms Act.

3. As per allegation in the FIR, there is specific
allegation against the petitioner for making conspiracy to
commit loot along with co-accused persons and fled away along
with loaded pistol.

4. Learned counsel for the petitioner submits that
petitioner is innocent has committed no offence and has falsely
been implicated in this case. He submits that neither the



petitioner has been arrested at the spot nor any incriminating articles has been recovered from his conscious possession. He further submits that the petitioner has been made accused only on the basis of confessional statement of arrested co-accused namely, Rakesh Kumar @ Munna. He next submits that there is no any independent witnesses of the seizure list and the witnesses are also police officials.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

6. From perusal of the FIR and the impugned order of the learned District and Additional Sessions Judge-I-cum-Special Judge NDPS, Vaishali at Hajipur dated 07.11.2025, it appears that on the basis of self statement of the Sub-Inspector of Police namely, Amardeep Kumar, FIR has been registered under Sections 310(4), 310(5) of the BNS and Sections 25(1-b) a, 26 and 35 of the Arms Act against two named and one unknown persons including the present petitioner and the allegation against him is for making conspiracy to commit loot along with co-accused persons and fled away along with loaded pistol. Petitioner is not arrested at the spot and his name has been surfaced in this case only on the basis of confessional statement of arrested co-accused person namely Rakesh Kumar



@ Munna, no recovery from the conscious possession of the petitioner. From perusal of the records, it also appears that there is previous enmity between the arrested co-accused namely Rakesh Kumar @ Munna with the present petitioner namely, Vikash Kumar. The arrested co-accused Rakesh Kumar @ Munna has previously registered a case against the present petitioner and other accused persons as Hajipur Sadar P.S. Case No. 450 of 2019 under Section 147, 341, 323, 379, 354, 504 and 506 of the Indian Penal Code, so considering the all aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant anticipatory bail to the above named petitioner.

7. Accordingly, let the petitioner above named in the event of his arrest or surrender before the Court below within six weeks from today, be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 682 of 2025, subject to the conditions laid down in Section 482(2) of the BNSS with a further condition that during investigation, the petitioner shall resides within the jurisdiction of the learned trial Court and the



concerned police station shall verify the same.

(Ramesh Chand Malviya, J)

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