

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82341 of 2025

Arising Out of PS. Case No.-251 Year-2024 Thana- SULTANGANJ District- Patna

Vivek Kumar Son of Late Gorelal @ Late Niwas Chaudhary @ Late Niwash Chaudhary Resident of B.N.R. Road, Opp. B.N.R. Training College, Chaudhary Tola, P.S.- Sultanganj, District- Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2026 Heard Mr. Akash Kumar Mishra, learned counsel for the petitioner and Mr. Shailendra Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since 03.09.2025 in connection with Sultanganj P.S. Case No. 251 of 2024, F.I.R. dated 28.06.2024 for the offences punishable under Sections 341, 323, 506, 307/34 of the Indian Penal Code and section 27 of the Arms Act.

3. According to prosecution case, petitioner and other co-accused persons are alleged to have assaulted the informant. The specific allegation against the petitioner is that he made open firing upon the informant which hit on the both legs of the informant.



4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. As per allegation in the FIR, petitioner has fired upon the informant which hit both legs of the informant and he has received the injury. He further submits that although the specific allegation of firing is against the petitioner in the FIR but the injury inflicted upon the injured person is simple in nature and the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 03.09.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the petitioner has clean antecedent, injury inflicted upon the injured person is found to be simple in nature, 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 each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Patna City or its successor court, in connection with Sultanganj P.S. Case No. 251 of 2024, 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 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)

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