

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88094 of 2025

Arising Out of PS. Case No.-397 Year-2025 Thana- BAIRIYA District- West Champaran

1. Vikash Kumar Son of Kanhaiya Raut @ Kanaeya Raut R/o Village-Ojhwalaya, Ward No. 16, P.S.- Bairiya, District- West Champaran
2. Umesh Kumar Son of Kanhaiya Raut @ Kanaeya Raut R/o Village-Ojhwalaya, Ward No. 16, P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioners and
learned A.P.P. for the State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 103(1), 238, 3(5) of BNS.

3. The FIR of the occurrence of murder is against unknown.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that petitioners is not named in the F.I.R. and the name of the petitioners have been transpired on the basis of confessional statement of one co-accused,



Kanhaiya Raut. Learned counsel for the petitioner further submits that the petitioners have no criminal antecedent, as statement made in para 3 of the bail application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts and circumstances of the case and considering the fact that there is no eye witness in this case, who is said to have seen the petitioners committing offence and also taking note of the fact that the name of the petitioners have come up during investigation on the basis of confessional statement of co-accused Kanhaiya Raut, who has already been granted regular bail, vide order dated 27.01.2026 passed in Cr. Misc. No. 82432 of 2025, I am inclined to grant privilege of anticipatory bail to both the petitioners.

7. Let both the petitioners, as named above, in the event of their arrest or surrender within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Shweta Shukla, learned Judicial Magistrate Ist Class, Bettiah, West Champaran, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure/Section 482(2) of the Bharatiya Nagarik



Suraksha Sanhita, 2023 and subject to further condition that :-

(i) the petitioners shall co-operate in the investigation/
trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioners and in case it is found that the petitioners have concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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