

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90883 of 2025

Arising Out of PS. Case No.-336 Year-2025 Thana- KAKO District- Jehanabad

Vicky Patel @ Shambhu Kumar S/O Radhey Patel @ Radhey Shyam Prasad
R/O Kako, P.S.- Kako, Dist.- Jahanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anurag Saurav, Advocate
For the Informant	:	Mr. Nitya Nand Neeraj, Advocate
For the State	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-03-2026 Heard Mr. Anurag Saurav, learned counsel for the petitioner, Mr. Nitya Nand Neeraj, learned counsel for the informant and Mr. Anil Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 24.09.2025 in connection with Kako P.S. Case No. 336 of 2025, F.I.R. dated 17.09.2025 for the offences punishable under Section 103(1) of the B.N.S. Act.

3. Allegation against the petitioner is that he assaulted the brother-in-law of the informant with iron weight (*batkhara*) on chest due to which he died on the spot.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the



FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact the deceased died due to heart attack and the allegation as alleged in the FIR does not support the medical evidence (Postmortem report) and the cause of death is Cardio Respiratory Failure due to heart attack. He further submits that Police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 24.09.2025.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation against the petitioner in the FIR.

6. Considering the aforesaid facts and circumstances and also the fact that the petitioner has clean antecedent and the medical evidence (Postmortem Report) 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 S.D.J.M., Jehanabad in connection with Kako P.S. Case No. 336 of 2025, 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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