

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90446 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- SANDESH District- Bhojpur

=====

Vivek Kumar @ Siku Patel S/o- Lakshuman Chaudhary @ Lakshuman Singh
@ Laxman Chaudhary Resident of village- Shivaji Nagar Gosai Mohalla,
Kashi Ghat PS- Bikramganj Distt- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shashi Kant, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2026 Heard Mr.Shashi Kant, learned counsel for the

petitioner and Mr.Dr. Kumar Uday Pratap, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
28.08.2025 in connection with Sandesh P.S. Case No. 139 of
2025, F.I.R. dated 23.06.2025 registered for the offence
punishable under Sections 109(1)/61 and 3(5) of BNS and
Section 27 of Arms Act.

3. As per the written application of informant brief
fact of the prosecution case is that on 23.06.2025 at about 04:50
am when the informant's wife went for morning walk. Then two
persons riding on motorcycle and fired on informant's wife
Manorma Devi due to which she sustained injury on shoulder



and fell down on the earth. On hulla, villagers came and took her to Sadar Hospital for treatment. The reason behind the occurrence is that the informant wants to keep his daughter-in-law at her Sasural whereas the father of Guriya Kumari willing to keep his daughter at his home. Due to this dispute accused persons assaulted to Guriya Kumari and she suffered from miscarriages.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation on the basis of the confessional statement of co-accused person, namely, Ramoon Kumar Gupta. Thereafter, the petitioner has also confessed his guilt in the present occurrence and except the aforesaid no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and it appears from the FIR itself that the dispute is going on between the family members of the petitioner and family members of the informant and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 28.08.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the



petitioner has himself confessed his guilt in the present occurrence, apart from the aforesaid, the petitioner carries eleven more cases other than the present one but fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, 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 learned A.C.J.M., Bhojpur at Ara in connection with Sandesh P.S. Case No. 139 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 his/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)

Nitesh/-

U		T	
---	--	---	--

