

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48414 of 2015

Arising Out of PS.Case No. -338 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

=====

Ratan Kumar Son of Dinanath Paswan, Resident of Village - Govindchak,
P.S. - Sonapur, District - Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.49733 of 2015

Arising Out of PS.Case No. -338 Year- 2015 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Vikash Kumar @ Bikash Kumar Son of Ratan Das Resident of Village -
Hajipur, P.S. - Hajipur Town, District - Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.48414 of 2015)

For the Petitioner/s : Mr. Kamlesh Kumar Pathak

For the Opposite Party/s : Mr. Dr. Ajeet Kumar(App)

(In Cr.Misc. No.49733 of 2015)

For the Petitioner/s : Mr. Dharmendra Kumar Paswan

For the Opposite Party/s : Mr. Atul Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 10-11-2015 Criminal Miscellaneous No.48414 of 2015 wherein

Ratan Kumar is the petitioner and Criminal Miscellaneous

No.49733 of 2015 wherein Vikash Kumar @ Bikash Kumar is the

petitioner commonly originate out of Hajipur (Sadar) P.S. Case

No. 338 of 2015 on account thereof, have been heard together and

are being disposed of by a common order.

On getting confidential information with regard to

presence of antisocial elements at the wine shop, a raid was



conducted and three persons were apprehended who disclosed their identity as Vikash Kumar, Vivek Kumar and Chotu Kumar. On search, apart from others from a plastic possessed by Vikash Kumar (petitioner) one bomb was found. Subsequently thereof, on their inculpatory extra judicial confessional statement house of Manish Rai was searched wherefrom nine persons were apprehended while four managed to succeed. Petitioner Ratan Kumar is one of them from whose possession a live cartridge along with mobile set was recovered.

It has been submitted on behalf of petitioners that falsity of the case is itself evident from the plain narration of the self-statement of the informant as, none would allow person having arms, ammunition, explosive substance having in h is hand that too, while attending the shop for the purpose of intoxication. It has also been submitted that recovery of single cartridge from the possession of Ratan is another circumstance which suggest false implication. Furthermore, it has also been submitted that both the petitioners have got no criminal antecedent and are in custody since 06.07.2015. At the other end the learned Additional Public Prosecutor opposed the prayer and submitted that thought having got no criminal antecedent but their conduct suggest, being dared devil.

Considering the circumstance in its totality, both the petitioners, namely, Vikash Kumar @ Bikash Kumar, Ratan Kumar each are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur (Sadar) P.S. Case No.338 of 2015.

(Aditya Kumar Trivedi, J)

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