

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51394 of 2015

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1. Vikash Kumar S/O Bishnu Rai resident of village- Dighi Kala (W) P.S.
Hajipur Sadar, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kr.Panday(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 09-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Hajipur Sadar P.S. Case No.54 of 2014, registered for the offences punishable under Section 302/34 of the Indian Penal Code and under Section 27 of the Arms Act.

As per the *Fardebayan* allegation has been made that the informant has received telephonic information that his brother has received a gun shot injury and he was being taken to the hospital. When the informant reached to the hospital, he was reported that his brother has died.

During the investigation, it transpires that the present petitioner and one Aman @ Champak called the brother of the information and the brother of the informant has died on account

of firing. During the investigation it also transpires that the petitioner and co-accused have made accused in this case on the basis of statement of one Maya Rai.

Learned counsel for the petitioner submits that the statement of Maya Rai has not been recorded by the police during the investigation and so much so that the evidence of one Darshan Devi was recorded, who stated that the deceased was in habit of taking liquor and moving with his friends who are not carrying good reputation in the society. On the day of incident the deceased was in intoxicated condition and sitting along with his friends, there was a sound of gun shot and when he reached there, found the deceased has received gun shot injury.

Having considered the facts and circumstances of the case, let the petitioner-Vikash Kumar 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 the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No.54 of 2014.

(Shivaji Pandey, J)

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