

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15218 of 2016

Arising Out of PS.Case No. -32 Year- 2015 Thana -AKILPUR District- PATNA

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Vikash Kumar Son of Kamal Rai resident of Village - Nakta Diyara, P.S. -
Digha, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

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

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 20-05-2016 Heard the learned counsel for the petitioner as well

as the learned A.P.P for the State.

The petitioner seeks bail in connection with
Akkilpur P.S. Case No. 32 of 2015 registered for the offences
punishable under Sections 342, 323, 326, 307, 379 and 504/34 of
the Indian Penal Code.

Allegedly, in the occurrence, co-accused Subodh
Rai, Somnath Rai and the petitioner shot the informant which hit
in his temporal region resulting the informant fell down.

Submission is of false implication and that the
allegation of firing has been made against three accused but only
one lacerated wound has been found though grievous in nature
caused by gun shot and, as such, the petitioner cannot be made
responsible for that injury. Other co-accused, namely, Awadhesh

Rai, Kamal Rai and Sanoj Rai have been allowed pre-arrest bail and Subodh Rai has been allowed regular bail and as such, the petitioner also deserves sympathetic consideration.

The learned A.P.P opposes the prayer of the bail but fairly submits that similarly situated co-accused Subodh Rai has already been allowed bail.

In the facts and circumstances stated above, considering the chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Danapur in connection with Akkilpur P.S. Case No. 32 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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