

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62715 of 2018

Arising Out of PS. Case No.-5 Year-2013 Thana- NAVINAGAR District- Aurangabad

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Vicky Vishwakarma @ Vicky Jee S/o Ramasish Vishkarma@ Ram Ashish
Mistri R/o Vill Badki Saliya, P.S. NTPC Khaira, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 01-11-2018 Heard learned counsel for the parties.

Petitioner seeks bail in **Nabinagar P.S. Case No. 5 of 2013** registered for the offence punishable under Sections 147, 148, 149, 506, 384, 353 and 307 of the Indian Penal Code and Section 25(1-b)a, 26, 27 and 35 of the Arms Act and Section 17 of the CLA Act.

Allegation against the petitioner is of being a member of extremist group.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that the name of the petitioner has surfaced in this case on the basis of confessional statement of



co-accused Shankar Yadav and and Bhola Jee. Co-accused Bhola Jee on whose confession the name of the petitioner has surfaced in this case has been granted bail by order dated 05.12.2013 in Criminal Miscellaneous No. 40492 of 2013. Similarly, situated co-accused persons have also been granted bail by co-ordinate benches of this Court vide orders dated 10.12.2013 and Criminal Miscellaneous No. 46651 of 2013 and 15.07.2016 in Criminal Miscellaneous No. 27973 of 2016. Petitioner has got no criminal antecedent and is in custody since 10.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Aurangabad**, in connection with **Nabinagar P.S. Case No. 5 of 2013**, with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence



or the witnesses of the case, in that case, prosecution will
be at liberty to move for cancellation of bail of the
petitioner.

(S. Kumar, J)

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