

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2118 of 2019

Arising Out of PS. Case No.-73 Year-2018 Thana- GANDHIMAIDAN District- Patna

Vikram Shahni, aged about 28 years, son of Lalla Sahni R/O Mohalla-Durukhi Gali (Renter of Munna Shahni) P.S- Pirbahore, District- Patna, at present resident of Nakhash Machhuatoli, P.S- Malsalami, District- Patna
... Petitioner

Versus

The State of Bihar
... Opposite Party

Appearance :

For the Petitioner : Mr. Ranjit Prasad, Adv.
For the Opposite Party : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-01-2019 Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

The petitioner is languishing in judicial custody since 09.07.2018 in connection with Gandhi Maidan P.S. Case No. 73 of 2018 for the offences alleged under Sections 395 and 397 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while his brother was on the way, 4-5 criminals tried to loot him. On altercation they fired and fled away on three motorcycles, which he came to know from two persons who were present.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated on the confessional statement of the other co-accused. He, further, submits that he has not been named in the first information



report and one other accused, on similar allegation, has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 33598 of 2018, dated 23.07.2018. He, further, submits that nothing has been recovered from his possession, no test identification parade has been done and charge sheet has already been submitted, there being no allegation of tampering with the prosecution witnesses.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Gandhi Maidan P.S. Case No. 73 of 2018 to the satisfaction of the learned Sub Judge VI-cum-Additional Chief Judicial Magistrate, Patna.

(Nilu Agrawal, J)

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