

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72455 of 2019

Arising Out of PS. Case No.-233 Year-2019 Thana- ROSERA District- Samastipur

Vikash Kumar @ Ballu S/o Lalan Ray @ Kari Singh R/o village- Narayan
Pipar Ward No. 18. P.S.- Chhaurahi O.P. (Khodabandpur), Distt.- Begusarai,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Rosera P.S.
Case No. 233 of 2019 registered for the offence punishable
under Sections 399, 402, 414 of the Indian Penal Code and
Section 25(1-b)a, 26, 35 of the Arms Act.

Petitioner along with other accused persons are said
to have been planning to commit some occurrence and a loaded
pistol and four live cartridges are said to have been recovered
from the possession of the petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner has no concern with the aforesaid occurrence.
He has been falsely implicated in this case at the instance of his



enemy by planting the aforesaid recovery from his possession. Petitioner has no concern with the seized article. There is nothing cogent incriminating material on record to indicate the complicity of the petitioner in the occurrence barring the confessional statement of co-accused Chandan Kumar recorded by the police, which has no evidentiary value in the eye of law. Petitioner has no criminal antecedent and has been languishing in custody since 09.08.2019.

On the other hand, learned APP opposed the bail prayer of the petitioner.

In the facts and circumstances of the case, let the above named petitioner be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Samastipur in connection with Rosera P.S. Case No. 233 of 2019.

(Prakash Chandra Jaiswal, J)

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