

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20451 of 2020

Arising Out of PS. Case No.-179 Year-2019 Thana- BIKRAM District- Patna

Vikash Kumar @ Sethi @ Rohit Kumar, S/o Ajay Sharma @ Bhola Singh @
Ajay Singh Resident of Village-Chauthiyan, P.S.-Bikram, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Alok Kumar @ Alok Kr Shahi- Advocate Mr. Rohit Raj- Advocate
For the Opposite Party/s :	Mr. Ram Priya Sharan Singh- P.P. Incharge

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 05-10-2020 Heard learned counsel appearing for the petitioner as well as learned Public Prosecutor Incharge appearing for the State through video conferencing.

Petitioner is in custody since 21.08.2019 and seeks bail in connection with Bikram P. S. Case No.179 of 2019 registered for the offences punishable under Sections 385, 387, 302/ 34 of the I.P.C. and Section 27 of the Arms Act.

It is alleged that petitioner along with others went to the shop of deceased and F.I.R. named accused Golu Kumar @ Bapjee opened fire causing death of the deceased. The reason behind the said occurrence is said to be demand of ransom.

Petitioner does have criminal antecedent of five cases, which is evident from perusal of Para-3 of the petition.



Learned counsel for the petitioner submits that on the alleged date of occurrence, petitioner was admitted at Tata Memorial Hospital and the aforesaid fact was brought to the notice of the Senior Superintendent of Police, Patna by the father of the petitioner by filing petition dated 20.06.2019, but police did not investigate the aforesaid fact. He further submitted that petitioner has been implicated in this case, because petitioner does have some criminal antecedent.

On the other hand, learned P.P. Incharge opposed the prayer pointing out that almost all the eye witnesses claimed to have seen the petitioner committing the alleged crime.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, I am not inclined to release the petitioner on bail and, accordingly, his prayer for bail stands rejected.

(Hemant Kumar Srivastava, J)

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