

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27035 of 2020

Arising Out of PS. Case No.-115 Year-2020 Thana- MADHAURAH District- Saran

VIKESH SINGH @ VICKY @ VICKKI SINGH @ VIKASH SINGH, 23
years (M), S/o Late Parma Singh, Resident of Village-Awari, P.S.-
Marhowrah, District-Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Mukesh Kumar Singh, Advocate.
For the Informant	:	Mr. Tej Pratap Singh, Advocate.
For the State	:	Mr. Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Two supplementary affidavits have been filed on
behalf of the petitioner. The same may be kept on the record. In
light of statement made in paragraph no. 2 of the 1st
supplementary affidavit, the statement made in paragraph no. 3
of the main bail application stands corrected.

Heard learned counsels for the petitioner, informant



and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 302, 120(B) of the I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that on 23.02.2020 at about 8.00 A.M., when the informant alongwith his son Arjun Singh was going towards his shop situated at Marhawrah and the moment they arrived near *Pakahan Railway Dhala*, the accused Shivjee Singh alongwith other co-accused persons intercepted them and on direction of Shivjee Singh, other accused Sanjay Kumar Singh @ Tunna Thakur took out the pistol and fired over Arjun Singh which hit below his right eye and the victim Arjun Singh fell down and when the accused persons find that his son Arjun Singh became dead they fled away from there.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 27.02.2020. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The main allegation of assault is alleged against co-accused Sanjay Kumar Singh @ Tunna Thakur. There is no



allegation of assault alleged against the petitioner. At best, the petitioner is a member of unlawful assembly. Due to village politics, he has been made accused in the present case.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran, Chapra, in connection with Marhowrah P.S. Case No. 115 of 2020.

(Sudhir Singh, J)

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