

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.33095 of 2020**

Arising Out of PS. Case No.-40 Year-2014 Thana- MOTIPUR District- Muzaffarpur

VIKASH KUMAR RAJAK Son of Late Raja Ram Rajak Resident of Village-  
Rasulganj, P.S.- Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No.1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

**ORAL ORDER**

2      17-12-2020                      In view of the submission and the undertaking of the learned counsel for the petitioner, at the time of hearing of this application through video conferencing, that he would remove the defect(s), as pointed out by the office vide its notes dated 05.12.2020, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Motipur P.S. Case No. 40 of 2014, registered under Sections 121, 121(A) and 120(B) of the Indian Penal Code and Sections 10, 11, 17, 18, 18(A), 18(B), 19 and 20 of the U.A.P. Act and Section 17 of the C.L. Act.



The accusation is that on receiving secret information regarding assembling of members of banned organization at the house of Shiv Shankar Bhagat in village-Kudarkatta, the raid was made by the informant and other Police personnel, where three persons were apprehended, who disclosed their names Rampravesh Baitha, Pravesh Kumar Mishra and Rajeev Ranjan. They also disclosed about their involvement and active participation of misdeeds as a members of banned organization detailing several incidents. The apprehended person Rampravesh Baitha also disclosed the name of his brother-in-law Vikash Kumar Rajak (Petitioner) stating that he had moved with banned organization literature, banner and posters in a hostel situated under Muzaffarpur university.

Learned counsel appearing for the petitioner submits that the name of petitioner surfaced in the confessional statement of Rampravesh Baitha, who is said to be apprehended on the spot and on the said confessional statement, the petitioner was remanded in this case from Motipur P.S. Case No. 519 of 2019, under Sections 25(1-b), 26 and 35 of the Arms Act on 13.01.2020 and since then he is in custody without any fault. Further submission is that Pravesh



Kumar Mishra @ Pravesh Mishra and Ram Pravesh Baitha @ Satish Jee @ Satish @ Rakesh, who are said to be apprehended on the spot have already allowed bail on 22.05.2015 vide Criminal Miscellaneous No. 18209 of 2015 and Criminal Miscellaneous No. 21751 of 2015, respectively, by a coordinate Bench of this Court.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Muzaffarpur in connection with Motipur P.S. Case No. 40 of 2014. One surety must be parents/close relative of the petitioner.

**(Rajendra Kumar Mishra, J)**

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