

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13390 of 2021**

Arising Out of PS. Case No.-878 Year-2019 Thana- SARAIYA District- Muzaffarpur

VIKAS KUMAR @ JAJVEER @ KALU Son of Mahendra Ram Resident of
Village- Khaira, P.S.- Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Uday Chandra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 07-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Saraiya P.S. Case No.878 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.

The prosecution case as made out is that while some miscreants were planning to commit a crime, police party reached there and seeing the police, the miscreants started



fleeing away. Four accused including the petitioner were apprehended with two motorcycles. One loaded country made katta and one cartridge has been recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to police mechanism and maneuvering. No incriminating article has been recovered from his conscious physical possession. Similarly situated co-accused namely Deepak Kumar and Rajesh Kumar have been granted bail by co-ordinate Benches of this court vide Cr. Misc. No.22568 of 2020 dated 01.09.2020 & Cr. Misc. No.27265 of 2020 dated 19.10.2020 respectively. The petitioner has no criminal antecedent and has been languishing in custody since 30.12.2019.

Learned APP for the State opposed the bail petition.

Considering the facts that the co-accused have been granted bail and the petitioner is in custody for more than one and half year, the petitioner named above is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount



each to the satisfaction of the learned Additional Chief Judicial
Magistrate, IV, West, Muzaffarpur in connection with Saraiya
P.S. Case No.878 of 2019.

(Anjani Kumar Sharan, J)

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