

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41014 of 2020

Arising Out of PS. Case No.-461 Year-2020 Thana- FATUA District- Patna

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1. Vikki Kumar @ Bikky Kumar Son of Kishor Prasad @ Kishor Prasad Sahani Resident of Manichak, P.S.- Gaurichak, Distt- Patna.
 2. Sohrai Kewat @ Sohrai Kevat @ Sohrai Kumar Sahni Son of Bharat Kewat Resident of Sampatchak, P.S.- Sampatchak, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-10-2021 Heard Shri Pramod Kumar, learned counsel for the petitioner and learned A.P.P. for the State.

Learned counsel for the petitioner, at the outset, submits that Vikki Kumar @ Bikky Kumar (petitioner no. 1) was arrested during pendency of the present anticipatory bail application and as such the application has become infructuous against him and thus he be permitted to withdraw the anticipatory bail application against the petitioner no. 1.

Permission is accorded.

The petitioner is seeking anticipatory bail in connection with Fatuha P.S. Case No. 461 of 2020 instituted for the offences under Sections 341, 342, 323, 307, 504 and 34 of



the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner no. 2 i.e. Sohrai Kewat is a person with clean antecedent. Petitioner no. 2 along with other accused persons are named in the F.I.R. having allegation that he along with other co-accused persons assaulted the informant causing injury with intention to kill and also opened fire. Learned counsel for the petitioners submits that as far as allegation of firing is concerned, the same is against Kishore Prasad.

The learned counsel further submits that the petitioner has been falsely implicated in this case. Further, that sister of Vikki Kumar was married to the brother of the informant who was not keeping the sister of Vikki Kumar in the matrimonial home for which an application was given in Mahila Police Station and *panchayati* also took place. The learned counsel further submits that since the petitioner no. 2 is a friend of Vikki and his family members as such he has been falsely implicated in the present case since dispute between the family of the informant and the petitioner on account of marriage of the sister of Vikki is going on.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



Considering the facts and circumstances of the case in its totality, let the petitioner no. 2, in the event of his arrest or surrender before the learned Court below within a period of ten weeks, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-I, Patna City in connection with Fatuha P.S. Case No. 461 of 2020 corresponding to G.R. No. 2291 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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