

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40132 of 2020

Arising Out of PS. Case No.-292 Year-2020 Thana- BELAGANJ District- Gaya

VIKASH KUMAR SON OF VIJAY SHARMA RESIDENT OF VILLAGE-
NAUDIHA, POLICE STATION- DAUD NAGAR, DISTRICT-
AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-02-2021 Heard Mr. Rajesh Kumar, learned counsel for the

petitioner and Mr. Tarkeshwar Nath Thakur, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Belaganj P.S. Case No. 292 of 2020 registered for the offence
under Sections 147 / 148 / 149 / 341 / 323 / 384 / 504 / 506 of
the I.P.C.

The allegation as per the First Information Report is
that the “Hyva” truck of the informant bearing Registration
No. BR-02-AA / 8483 was intercepted by a Tata Sumo vehicle
in which the accused persons were sitting and the co-accused /
Shailesh Kumar @ Karu Singh, Rishu Singh, Chhotu Singh got
down from the vehicle and demanded Rs. 50,000 /- as extortion
amount. It has also been alleged that when the informant
resisted, they snatched a sum of Rs. 10,000/- from the pocket of
the informant. In the meantime, Police arrived at the place of
occurrence and arrested 07 accused persons including the



petitioner, who were found sitting in the Tata Sumo vehicle.

Learned counsel for the petitioner submits that petitioner has got no criminal antecedent and has falsely been implicated in this case only due to the fact that he was travelling in that Tata Sumo vehicle as a co-passenger. Learned counsel next submits that no looted amount has been recovered from the possession of the petitioner but the same has been recovered from the possession of the co-accused / Shailesh Kumar @ Karu Singh. Learned counsel next submits that similarly situated co-accused / Sanjeet Kumar Singh, whose bail application has been rejected by the same impugned order passed by the learned court below has been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 33113 of 2020 and the petitioner is in custody since 11.09.2020.

Having regard to the submissions made by learned counsel for the parties, taking into consideration the materials available on record, the fact that similarly situated co-accused has been granted bail by this Court, the petitioner has got no criminal antecedent and nothing has been recovered from the conscious possession of the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bond of Rs. 10,000/-
(ten thousand) with two sureties of the like amount each to the
satisfaction of learned A.C.J.M. XI, Gaya / court concerned in
connection with Belaganj P.S. Case No. 292 of 2020.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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