

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.737 of 2021

Arising Out of PS. Case No.-7 Year-2020 Thana- UNIVERSITY District- Muzaffarpur

Vikash Kumar @ Bittu, son of Lakshman Thakur, Resident of village-
Ratanpur, P.S.-Kamtaul, District-Darbhangha, presently residing at P.G. 1st
Hostel, P.S.-Bihar University, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh- Advocate

For the Opposite Party/s : Dr. Ajeet Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 24-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has filed the instant application for
grant of regular bail in connection with University P. S. Case
No. 07 of 2020 registered under Sections 307 and 353 of the
I.P.C., Sections 25(1-B)(a), 26 and 27 of the Arms Act and
Sections 37(b), 37(c) of the Bihar Prohibition and Excise
Amendment Act, 2016.

As per allegation in the F.I.R., in the procession on
the occasion of Saraswati Puja, firing was taking place. It is
stated that on being caught and searched, a loaded country-made
pistol was recovered from the possession of the petitioner and
smell of intoxicant was coming from his breath. He tested



positive in the breath analyzer test.

It is submitted by the learned counsel for the petitioner that the allegation, as levelled, in the F.I.R. are false and concocted. He has been falsely implicated in the present case because of his antecedents. He is in custody since 01.02.2020 i.e. for more than one year.

The application for bail is opposed by learned A.P.P. for the State.

Having heard the learned counsel for the parties and taking into consideration the period in custody, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each in connection with University P. S. Case No.07 of 2020 to the satisfaction of learned Special Judge, Excise Act, Muzaffarpur.

(Partha Sarthy, J)

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