

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1317 of 2021

Arising Out of PS. Case No.-556 Year-2020 Thana- BIHAR District- Nalanda

VIKASH KUMAR @ VIKASH YADAV, SON OF UMESH YADAV
RESIDENT OF HAJIPUR, P.S. - BIHAR, DISTRICT - NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

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

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 02-09-2021 Heard Mr. Amresh Kumar Singh, learned

advocate for the petitioner and Mr. Mohammad Sufyan,

learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Bihar P. S. Case No. 556 of

2020, dated 29.08.2020, instituted for the offences

under Sections 147, 148, 307, 323, 341, 385, 504 and

149 of the Indian Penal Code and Sections 27 of the

Arms Act, 1959.

The accusation against the petitioner and others

is of assaulting the informant and his brother.

The victims have received simple injuries.



The learned advocate for the petitioner has submitted that from a bare reading of the averments made in the F.I.R. it would become very clear that there is a dispute between the informant and Bholu Gope and Akash Gope. Though the petitioner is said to have fired on the brother of the informant but in view of no gun shot injury having been received by him, the accusation appears to be *prima facie* false.

There is a counter version of the occurrence also.

Regard being had to the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Bihar P. S.



Case No. 556 of 2020, subject to the conditions as laid
down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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