

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58470 of 2021

Arising Out of PS. Case No.-179 Year-2019 Thana- BIKRAM District- Patna

VIKASH KUMAR @ SETHI @ ROHIT KUMAR S/o- Ajay Sharma @
Bhola Singh @ Ajay Singh Resident of Village- Chauthiyan, P.S.- Bikram,
District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar @ Alok Kr Shahi, Adv.
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-12-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 385, 387 and 37 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, three named accused persons including the petitioner herein came variously armed and it is stated that accused Golu Kumar shot the brother of the informant leading to his death.

It is submitted by learned counsel appearing for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 5.10.2020 passed in Cr. Misc. no.20451 of 2020. From perusal of the F.I.R. itself it would be evident that Golu Kumar @ Bapjee is stated to be the sole



assailant of the deceased. No overt act has been alleged against this petitioner who is in custody since 21.8.2019 and has been falsely implicated in the case because of his antecedents.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the allegations in the F.I.R. together with the petitioner having remained in custody for over 2 years, the Court directs the petitioner to be enlarged on bail in connection with Bikram P.S. Case no. 179 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Danapur.

(Partha Sarthy, J)

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