

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20188 of 2022

Arising Out of PS. Case No.-86 Year-2018 Thana- CHAUSA District- Madhepura

VIKKI SINGH @ VIKASH KUMAR, S/o Maharana Singh @ Mahuran
Singh Resident of Village - Khopariya Laualagan Purvi, Ward No. 11, P.S.
Chausa, Dist. - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh, Advocate
For the Opposite Party/s : Mr.Bishweshwar Ram, App

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-07-2022

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 147,148,149,323,307,353 of the Indian Penal Code, Sections 25(1-b)a,26,27,35 of the Arms Act and Sections 30(a) of the Bihar Prohibition & Excise Act, 2016.

As per the allegation in the first information report, it is stated by the informant that he along with other police personnel proceeded for patrolling for security of the farmers. Seeing the police personnel the accused persons on four motorcycles made an attempt to escape but one of the accused persons, namely, Nanhku Singh was arrested and the arms and ammunition were recovered. It is stated that in the occurrence

the accused persons also fired towards the police personnel. The accused Nanhku Singh is stated to have taken the name of the eleven accused persons who managed to escape which included the petitioner herein.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It is further submitted that neither the petitioner was arrested on the spot nor any incriminating article has been recovered from his possession. It has been submitted that name of the petitioner has surfaced in this case on the confessional statement made by the co-accused and except the said confessional statement, there is no any other incriminating material against the petitioner. Similarly placed co-accused Bajrangi Singh has already been granted bail by a co-ordinate Bench of this Court vide order dated 29.06.2021 passed in Cr. Misc. No.6759 of 2021. The petitioner is remanded in this case on 02.07.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Chausa P.S. Case No.86 of 2018, Excise Act Case No.159/2018, with following

conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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