

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20814 of 2022**

Arising Out of PS. Case No.-140 Year-2021 Thana- BARAUNI District- Begusarai

Vikki Kumar @ Kundan Ray @ Kunal Ray S/o Sanjay Mahto @ Sanjay Ray
R/o village- Simariya Ghat, Bind Toli, P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, App

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER**

2 06-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with Barauni (Chakiya) P.S. Case No. 140 of 2021 instituted for the offences under Sections 307 and 34 of the Indian Penal Code and read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 01.09.2021, charge-sheet has been submitted in the case and antecedent is of 12 cases.

Learned counsel for the petitioner submits that the allegation in the F.I.R is that the informant along with her family members were present at the time of incident and the accused persons have come there and started firing with the intention to kill them. Thereafter, all accused persons tried to brake the door



of the informant's house and started firing upon her darwaza, window and her Scorpio vehicle resulting into damage of the vehicle and house. It is further submitted that petitioner is innocent and having no concern with the allegations and there is no specific allegation against the petitioner and it is also submitted that on the place of occurrence not a single empty cartridge has been recovered.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 01.09.2021, charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni (Chakiya) P.S. Case No. 140 of 2021 subject to the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Khatim Reza, J)

Gaurav Kumar/-

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