

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26861 of 2022

Arising Out of PS. Case No.-77 Year-2016 Thana- VAISHALI District- Vaishali

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Vikram Kumar @ Vikky son of Jai Prakash Singh Resident of Village -
Bhagwanpur, Ratti, Tola- Sadopur, P.S. - Vaishali, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 06-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Vaishali P.S. Case No. 77 of 2016 lodged under Sections 399,
402, 413 and 414 of the I.P.C. read with Sections 25(1-b)A and
26 of the Arms Act.

Learned counsel for the petitioner submits that in the
F.I.R., the name of petitioner is figured by virtue of the
confessional statement of the persons who were apprehended
from the place of occurrence. He submits that nothing
incriminating was recovered from his possession. So, Arms Act
is not applicable upon him. He further submits that recovery of

arms has taken place from the possession of other accused persons. Learned counsel for the petitioner further submits that petitioner is in custody since 23.02.2022 having clean antecedent and charge sheet has already been filed in this case. He further submits that a similarly situated accused person from whose statement the name of petitioner has figured in this case that is Mukesh Kumar has been granted bail by the Co-ordinate Bench of this Court vide order dated 06.10.2016 passed in Cr. Misc. No. 44447 of 2016.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 77 of 2016, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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