

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39832 of 2021

Arising Out of PS. Case No.-421 Year-2019 Thana- SAKRA District- Muzaffarpur

VIVEK KUMAR @ NICKY JHA @ NICKY DON Son of Late Arvind Kumar Jha (Wrongly mentioned as Bipin Jha) Resident of Village- Gangati Dharmagatpur, P.S.- Chakra, District- Muzaffarpur- 843121.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate

For the Opposite Party/s : Mr. Rambilash Rai Raman, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 420, 467 and 468 of the Indian Penal Code, sections 25(1-B)(a), 26 and 35 of the Arms Act and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, one Munchun Thakur was arrested while five others managed to escape. A country made pistol and 145.08 litres of liquor was recovered. It is stated that the said Munchun Thakur disclosed the name of five other accused persons who had managed to escape which included the petitioner herein.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the petitioner's possession. He was not arrested at the spot. He is in custody since 26.3.2021 and charge sheet has been submitted in



the case. He has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case including the petitioner having remained in custody for 9 months, the Court directs the petitioner to be enlarged on bail in connection with Sakra P.S. Case no. 421 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 Special Judge, Excise, Muzaffarpur.

(Partha Sarthy, J)

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