

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53549 of 2021**

Arising Out of PS. Case No.-213 Year-2021 Thana- JAGDISHPUR District- Bhojpur

VIKASH KUMAR, Son of Rabindra Mahto @ Rabindra Kumar Singh
Resident of Village Bankat, P.S. Ayar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 14-02-2022 Heard the learned counsel for the petitioner and the
learned APP for the State, through Video Conferencing.

The petitioner seeks bail in connection with Jagdishpur
P.S. Case No. 213 of 2021, instituted for the offences under Section
307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 20.06.2021, he is a person with clean
antecedent, charge-sheet has been submitted and the informant
alleges that Rabindra Mahto, Vikas Kumar (petitioner) and one
more accused, whom the informant can identify, chased the
informant by motorcycle and overtook the informant's motorcycle
and thereafter it is alleged that Rabindra Mahto fired at the
informant causing injury on left side of the back.

The learned counsel for the petitioner submits that the
petitioner has falsely been implicated and even assuming what has
been alleged in the FIR is true then petitioner is not alleged to have



fired or assaulted, the only allegation against him is that he was also present with Rabindra Mahto and the unknown accused. The learned counsel further submits that petitioner was completely unaware that Rabindra Mahto was carrying a pistol.

The learned A.P.P. vehemently opposes the bail application.

Considering the fact that the petitioner is in custody since 20.06.2021, he is a person with clean antecedent, charge-sheet has been submitted and is not alleged to have fired at the victim, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Bhojpur at Ara, in connection with Jagdishpur P.S. Case No. 213 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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