

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7260 of 2023

Arising Out of PS. Case No.-269 Year-2016 Thana- HAJIPUR SADAR District- Vaishali

VIVEK KUMAR @ BHAKO S/O Harendra Ray R/O Village- Hathsarganj,
P.S- Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 307 of the Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, while the informant was unloading goods at his shop situated at Umesh Cinema Road, Hajipur and a tractor was parked in front of his shop, in the meantime, three unknown bike-borne miscreants came and one of them opened 2-3 round firing at the informant in which one bullet hit him due to which he sustained injury. Thereafter, the miscreants fled away.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The



petitioner is not named in FIR rather he has falsely been implicated in this case on the basis of suspicion. During investigation, the name of the petitioner came into light on the basis of confession made by co-accused namely, Md. Imran who is already getting the privilege of bail granted by a co-ordinate Bench of this court vide order dated 25.4.2017 passed in Cr. Misc. No. 18884 of 2017. It is further submitted that the petitioner is languishing in judicial custody since 18.8.2021.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hajipur Sadar P.S. Case No. 269 of 2016 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Vaishali.

(Sunil Kumar Panwar, J)

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