

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6909 of 2023

Arising Out of PS. Case No.-609 Year-2020 Thana- KATIHAR NAGAR District- Katihar

VIKRAM KUMAR @ VIKRAM KUMAR YADAV SON OF DEEPAK
YADAV @ DEEPAK KUMAR YADAV R/O RAMNAGAR, P.S.- KATIHAR
NAGAR, DISTRICT- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Md. Shakir Ahmad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 29-04-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 341, 342
and 307/34 of the Indian Penal Code and Section 27 of the Arms
Act, registered in connection with Katihar Sahayak P.S.Case No.
609 of 2020 (S.T.No.256 of 2021).

As per allegation, three miscreants stopped the
motor-cycle of the informant. They started firing at the
informant, who suffered injuries on his knee and thigh of his
right leg.

The learned counsel for the petitioner has submitted
that the informant himself did not identify the accused persons.



He has filed an affidavit in the court below and has also mentioned in the *fardbayan* that he did not identify the miscreants as it was dark. He has submitted further that considering these facts and circumstances, three accused persons, namely Aman Sah, Mukesh Sah and Bijli Yadav have been granted anticipatory bail by the I/C Sessions Judge, Katihar vide order dated 24.03.2021. The learned Sessions Judge has also granted bail to co-accused Chhotu Kumar Mandal having similar allegation, on 27.08.2022. He has also submitted that despite these facts nothing emerged against the petitioner. His prayer for bail was rejected by the court below merely on the basis of his criminal antecedent of one case as mentioned in paragraph no.3 of this bail petition. He is in custody since 09.01.2021

Considering the above facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-II, Katihar in connection with Katihar Sahayak P.S.Case No. 609 of 2020 (S.T.No.256 of 2021), subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make available available as and when required by the court.



2. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

3. The petitioner shall make himself available on each and every date before the court below till conclusion of the trial.

(Nawneet Kumar Pandey, J)

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