

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9682 of 2023

Arising Out of PS. Case No.-104 Year-2022 Thana- ROSHANGANJ District- Gaya

Vikash Cuahduary @ Vikash Chaudhari S/O Samundar Chaudhary @
Samundra Chaudhari Resident Of Village- Lembaiya, P.S.- Roushanganj,
District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jain

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-06-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 387, 414, 436, 386, 307/34 of the Indian

Penal Code and Sections 25(1-B) a, 26, 27, 35 of the

Arms Act.

The prosecution case in brief is that on

17.05.2022 at about 8:45 A.M, four persons came on

two motorcycles and took petrol but when the price of

the petrol was demanded, the accused persons took out



revolver and disclosed about themselves as members of KK Tiger Group. It is further alleged that they handed over a paper in which ransom of Rs. 10 lakhs was demanded. In the same night at about 11:40 P.M, the accused persons came on the petrol pump and set the petrol pump on fire due to which a school bus and a motorcycle got burnt and petrol pump was also damaged badly.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner is not named in the F.I.R and his name subsequently sprang up on the confessional statement of co-accused Chotu Chowdhari which is not admissible in the eye of law. The petitioner has no concern with the alleged motorcycle, mobile or arms seized by the police and due to previous criminal antecedent, the petitioner has been roped in the present case. Moreover, Chotu Chowdhary has been granted bail by a coordinate Bench of this Court vide order dated



23.05.2023 passed in Cr. Misc. No. 23267 of 2023. The petitioner is languishing in custody since 29.06.2022.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sherghati, Gaya in connection with Roshanganj P.S. Case No. 104 of 2022.

(Sunil Kumar Panwar, J)

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