

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10779 of 2023

Arising Out of PS. Case No.-502 Year-2021 Thana- SIWAN CITY District- Siwan

VIKASH KUMAR @ SATISH KUMAR YADAV @ DEEPAK YADAV S/O
SURESH YADAV Resident of Village- Luhasi New Tola, P.S.- Uchakagaon,
District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-05-2023 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 sections 395/397 of the Indian Penal Code and Section 27 of Arms Act.

As per FIR, the allegation against the petitioner is to commit dacoity along with other co-accused persons and while committing so, taken away several golden jewellery from the shop of the informant. During this incident, the accused persons also fired upon the son of informant.

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. Neither TIP has



been held nor incriminating article has been recovered from conscious possession of the petitioner rather his name has been transpired in this case on the basis of confession made by co-accused namely, Sandeep Kumar who is already getting the privilege of bail granted by a co-ordinate Bench of this court vide order dated 24.8.2022 passed in Cr. Misc. No. 21565 of 2022 hence, the case of this petitioner stands on similar footing of that of the co-accused. It is further submitted that the petitioner is languishing in judicial custody since 10.6.2022.

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 Siwan Town P.S. Case No. 502 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. IX, Siwan.

(Sunil Kumar Panwar, J)

Amandeep/-

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