

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12673 of 2023

Arising Out of PS. Case No.-27 Year-2021 Thana- DESARI District- Vaishali

VIKASH KUMAR S/O RAMSWARUP RAY @ RAM SWARUP SAHNI
Resident of Village- Madhaul Harpurchand, P.S.- Desari (Chandpura O.P.),
District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Ban Bihari Singh

For the Opposite Party/s : Mr. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 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 399, 402, 414/34 of the Indian Penal Code and Sections 25(1-B)a, 26/35 of Arms Act.

Allegation against the petitioner along with co-accused persons that while they were assembled and preparing for committing offence, the police party raided the place of occurrence and arrested two of them. On search, some incriminating weapons have been recovered from possession of co-accused persons who disclosed the name of the petitioner.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of disclosure made by co-accused Chandan Kumar who was apprehended on spot. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his conscious possession. The petitioner has got no criminal antecedent and languishing in judicial custody since 22.12.2022.

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 Desari P.S. Case No. 27 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 Addl. Chief Judicial Magistrate 15th Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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