

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15551 of 2023

Arising Out of PS. Case No.-110 Year-2021 Thana- KONCH District- Gaya

Vikash Kumar S/O Anil Yadav Resident Of Village- Sinduari, P.S.- Konch District- Gaya

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh, Advocate

For the Opposite Party/s : Rita Verma, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 23-06-2023 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in a case registered for the offence punishable under section 302 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, while the grand mother of the informant was cutting crops, all the eight accused persons reached there and made indiscriminate firing causing her death.

Petitioner is nonetheless but informant of the instant case. It is submitted by learned counsel for the petitioner that the petitioner is grand son of the victim and for mala fide reasons he has falsely been implicated in this case on the basis of confessional statement of co-accused Ashok Kumar, though in the FIR, co-accused Abiram Sharma has been alleged to have fired his country made pistol on the head of the victim. Only



material against the petitioner is that his mobile phone was found near the place of occurrence at the relevant time. Besides this, no other direct or indirect evidence has come against the petitioner during course of investigation to show his complicity in the occurrence. Petitioner claims clean antecedent.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Gaya in Konch Police Station Case No. 110 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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