

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20190 of 2023**

Arising Out of PS. Case No.-155 Year-2022 Thana- MADHAURAH District- Saran

Vikas Kumar @ Vikash Kumar Ram S/O Mohan Prasad R/V- Vishunpura,
Durgachak,P.S. Bankatta., District- Dewariya (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 10-08-2023 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. At the outset it is submitted that correction is required to be made in the para 1 of the prayer, where inadvertently name of Police Station Madhaurah has been typed as Marhowrah.

3. Request allowed, same be corrected during the course of day itself.

4. The petitioner seeks bail in connection with Madhaurah P.S. Case No.155 of 2022 registered for the offence under Sections 302, 307, 120-B and 34 of the Indian Penal Code and Section 27 of the Arms Act.

5. The accused/petitioner is not named in the F.I.R. and is in custody since 21.06.2022.



6. The allegation against the petitioner is to commit murder of the employee of informant running a jewellery shop alongwith other unknown co-accused persons by causing firearm injuries, where firing was also made upon informant having intention to cause his death.

7. Learned counsel appearing on behalf of the petitioner submitted that the name of this petitioner surfaced during the course of investigation on the basis of confessional statement of co-accused, Anurag Kumar Singh and Shubham Singh @ Pehalwan, in furtherance of which nothing incriminating recovered/surfaced during the course of investigation as to connect petitioner with the present occurrence of murder. It is also submitted that petitioner was not put on T.I.P., as yet. It is submitted that said co-accused, namely Shubham Singh @ Pehalwan, who named this petitioner has already granted bail one of the learned Co-ordinate Bench of this Court through Cr. Misc. No.19144 of 2023 vide order dated 18.05.2023. While concluding the argument, it is submitted that investigation of this case has been completed, for which, charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

8. Learned APP appearing on behalf of the State,



opposes the prayer for bail.

9. In view of the facts and circumstances as mentioned above and by taking note of the fact as save and except confessional statement of co-accused, namely Shubham Singh @ Pehalwan, nothing incriminating surfaced/recovered against this petitioner as to connect petitioner, prima facie, with the present occurrence of murder, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 21.06.2022, accordingly, petitioner, above named, is directed to be released on bail in connection with Madhaurah P.S. Case No.155 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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