

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15875 of 2023

Arising Out of PS. Case No.-189 Year-2021 Thana- SAHEBPUR KAMAL District-
Begusarai

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Viveka Rai @ Vivek Yadav S/O Late Nageshwar Rai R/O Village-
Raghunathpur, P.S- Sahebpur Kamal District- Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajit Kumar

For the Opposite Party/s : Mr.Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 01-08-2023 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 341, 323, 324, 307, 325, 326, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the allegation against the accused persons including the petitioner is that they armed with various weapons came at the home of the informant and assaulted his family members due to which informant's family members sustained many injuries. It is further alleged that co-accused, namely, Prince Kumar fired upon



the daughter of the informant due to which she sustained gunshot injury and her treatment is going on.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous land dispute. There is no specific allegation of shot firing levelled against the petitioner rather general and omnibus allegation levelled against him and the specific allegation of shot firing is levelled against co-accused, namely, Prince Kumar, who has already been granted bail by a coordinate Bench of this Court vide order dated 24.05.2022, passed in Cr. Misc. No. 1655 of 2022. It is further submitted that the petitioner is 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 Sahebpur



Kamal P.S. Case No. 189 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 Chief Judicial Magistrate, Begusarai.

(Sunil Kumar Panwar, J)

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