

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15925 of 2023

Arising Out of PS. Case No.-281 Year-2022 Thana- UCHKAGAON District- Gopalganj

Vikash Kumar @ Bullet Son Of Yogendra Singh R/O Village- Jamsar, P.S.-
Uchkagaon, District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur Mr. Ritwik Thakur, Mrs. Vaishnavi Singh
For the Opposite Party/s	:	Mr. Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 302, 448 of the Indian Penal Code and 27 of the Arms Act.

As per allegation in the FIR, on 18.08.2022 while the informant was sitting at his Darwaja along with family members the named accused persons including this petitioner along with some unknown persons variously armed came there and started abusing the informant, on sound of which the informant's wife Tunni Devi (deceased) came out of the house, Mannu Patel fired from a pistol which hit his wife and she died on the spot. Accused Vidyanand Patel and Sonarpati Devi also assaulted the



informant's son by means of farsa and knife due to which he sustained injury. The petitioner and other accused Dhannu Patel fired upon Raju Patel which hit in his stomach and thigh. The other accused persons also assaulted the other family members of the informant.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The specific allegation against the petitioner is that he along with Dhannu Patel opened fire upon Raju Patel due to which he sustained injury and the injury report of Raju Patel does not in-consonance with the prosecution as the doctor opined that the injury is simple in nature caused by hard and blunt substance. There is no allegation of opening fire upon the deceased against the petitioner rather the allegation of opening fire against other co-accused Mannu Patel due to which the informant's wife sustained gun shot injury and she died on the spot. It is also submitted that petitioner is languishing in judicial custody since 15.10.2022.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail and submitted that the petitioner is named in the F.I.R. and allegation of opening fire to the injured Raju Patel against



him.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Uchakagaon P.S. Case No. 281 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 the learned Additional Chief Judicial Magistrate-IX, Gopalganj.

(Sunil Kumar Panwar, J)

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