

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31292 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- BARH District- Patna

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Vikee Kumar @ Vicky Kumar @ Praveen Kumar S/O Uday Kumar R/O
Village- Mekra, P.S- Mokama, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Barh P.S.
Case No. 98 of 2023 registered for the offence under Sections
302, 120-B/34 of the Indian Penal Code and 27 of the Arms Act.

The accused/petitioner is not named in the F.I.R. and
is in custody since 16.02.2023.

The allegation against this petitioner is to commit
murder of father of informant alongwith other named co-
accused persons by causing firearm injuries, where occurrence
arises out of family property dispute.

Learned counsel appearing on behalf of the petitioner



submitted that the informant being an eye witness raised specific allegation against named co-accused Bablu Yadav to cause fatal firearm injuries, where the name of this petitioner appears in this case during the course of investigation, as his mobile tower location was found around the place of occurrence where in furtherance said suspicion, no incriminating material recovered to connect petitioner with present occurrence of murder. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as informant, who is the eye witness of the occurrence specifically alleged co-accused Bablu Yadav, to cause fatal firearm injuries without naming this petitioner, who is a man of clean antecedent, coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 16.02.2023, accordingly the petitioner, above named, is directed to be released on bail in connection with Barh P.S. Case No. 98 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Barh, District- Patna/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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