

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47457 of 2023

Arising Out of PS. Case No.-108 Year-2023 Thana- BARHIYA District- Lakhisarai

VIKASH KUMAR SINGH @ VIKASH SINGH @ VIKASH KUMAR Son
of Ramakant Singh Resident of Village - Garh Laxmipur, P.S.- Barhiya,
District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
	:	Mr. Arun Kumar, Advocate
For the Opposite Party/s	:	Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 01-08-2023 1. Heard learned senior counsel for the
petitioner and learned APP for the State.
2. Petitioner seeks regular bail in connection
with Barhiya P.S. Case No.108 of 2023 dated 13.05.2023
registered for the offence/s punishable under Section/s 120(B),
201 and 337 read with Section 34 of the Indian Penal Code and
Section/s 25(1-B)a, 26, 35 and 27 of the Arms Act.
3. The main submissions advanced by the
learned counsel for the petitioner are that though the petitioner
is named in the FIR but his name was disclosed by the
apprehended co-accused Raushan Kumar, who was arrested in
connection with Barhiya P.S. Case No.107 of 2023 and except
the said statement of co-accused there is no material against this



petitioner and moreover if the statement of the said co-accused is taken into account even then no allegation appears against this petitioner as the alleged fire-arms were recovered from the house of one namely Savitri Devi in following with disclosure statement made by the co-accused Raushan Kumar and petitioner had no connection or relation with Savitri Devi, so petitioner had no connection to the recovered fire-arms. Further submissions are that the petitioner has been implicated in this case due to political rivalry, though against him there are criminal antecedents of 13 cases but he has got bail in all the said cases and in the present matter he has been languishing in jail since 14.05.2023 and against him the investigation has been completed and the alleged offences are triable by the Court of Magistrate.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the facts that the instant matter relates to the recovery of fire-arms but the said recovery was made in following with the disclosure statement made by the co-accused Raushan Kumar who also revealed the name of this petitioner, except the said statement there is no any other material against this petitioner



and he has got bail in all the cases of his antecedents and in the present matter the investigation has been completed, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be released on bail in connection with Barhiya P.S. Case No.108 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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