

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43864 of 2023

Arising Out of PS. Case No.-273 Year-2022 Thana- NAANPUR District- Sitamarhi

VIKASH KUMAR SON OF SHYAMBABU DAS@ SHYAM DAS
RESIDENT OF VILLAGE- BANAU, PS- NANPUR, DIST- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurav Anand, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection
with Nanpur P.S. Case No.273 of 2022 dated 27.06.2022
registered for the offence(s) punishable under Section(s) 356,
379, 307/34 of the Indian Penal Code and Section 27 of the
Arms Act.

3. The main submissions advanced by the
learned counsel for the petitioner are that the petitioner has fair
and clean antecedent, against him the investigation has been
completed and as per the order impugned the main allegation of
causing fire-arm injury to the victim appears against the co-
accused Mahanand Kumar and it is mentioned in the order
impugned that the said co-accused took lift on the motorcycle of



the victim and on protest made by the victim against attempt of theft, the said co-accused fired at him but there is no allegation against this petitioner. Further submissions are that the petitioner has been languishing in jail since 25.4.2023 and one co-accused namely Raushan Kumar carrying similar nature of allegation has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.63430 of 2022 and the petitioner has been dragged in this case merely on the basis of confessional statement of apprehended co-accused persons namely Mahanand Kumar and Raushan Kumar and after arrest he was not put on Test Identification Parade.

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

5. Considering the above submissions and mainly the facts that the FIR was registered against unknown persons and as per the order impugned the main allegation of causing fire-arm injury to the victim is against co-accused Mahanand Kumar and petitioner has fair and clean antecedent and against him the investigation has been completed, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail in connection with Nanpur P.S. Case No.273 of 2022 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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