

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49802 of 2022

Arising Out of PS. Case No.-17 Year-2022 Thana- FORBESGANJ District- Araria

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VIVEK KUMAR @ VIVEK KUMAR RAM @ VIVEK DEVRAJ S/o Navin
Kumar Das R/o village- Khair Khan, P.S.- Farbisganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar Sharma, Adv. Mr. Alok Anand
For the Opposite Party/s :		Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 394 of the Indian Penal
Code and section 27 of the Arms Act.

As per allegation in the FIR, two unknown criminals
riding on black pulsar without number plate came and stopped
the informant's motorcycle and when he tried to escape, one
criminal showed pistol on his kanpatti and other looted his
mobile, Aadhar Card and an amount of Rs. 27,000/-. It is further
alleged that while criminals snatched motorcycle key of the of
the informant, one criminal opened fire whit hit his left thigh.

It is submitted by learned counsel for the petitioner



has been falsely implicated in this case. Petitioner is not named in the FIR. On the basis of confessional statement of co-accused Deepak Mandal, name of the petitioner has been surfaced in the present case. No TIP has been done. Nothing has been recovered from conscious possession of the petitioner. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 14.2.2023 passed in Cr. Misc. No. 52477 of 2022. Petitioner is languishing in judicial custody since 10.3.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Farbisganj P.S. Case No. 17 of 2022.

(Sunil Kumar Panwar, J)

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