

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52702 of 2023

Arising Out of PS. Case No.-34 Year-2022 Thana- ISUAPUR District- Saran

=====

VIKKI KUMAR @ VIKKI KUMAR SINGH SON OF AJAY SINGH
RESIDENT OF VILLAGE- DHAMA, PS- ISUAPUR, DISTT- SARAN AT
CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 19-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Isuapur P.S. Case no. 34 of 2022 registered under sections 399 and 402 of the Indian Penal Code and sections 25(1-B)(a), 26 and 35 of the Arms Act

3. As per the prosecution case, on information having been received that the accused persons had gathered and were planning to give effect to an occurrence, it is stated that a raid was conducted. It is further stated that seeing the police personnel the other accused persons managed to escape but one of them was caught. A country-made pistol, a bullet as also one



magazine and two motorcycles were recovered. On inquiry the person caught disclosed the name of four persons who managed to escape which included the petitioner herein.

4. Learned counsel for the petitioner submits that the petitioner was neither arrested at the spot nor any incriminating article has been recovered from his possession. The only material against him is the confessional statement of a co-accused made before police. The cause of false implication of the petitioner is his antecedent.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR, the petitioner not having been arrested at the spot nor any incriminating article having been recovered from the petitioner's possession and his name having transpired in the statement of a co-accused made before police, it is directed that the petitioner above named, in the event of his arrest or surrender before the learned court below within a period of four weeks, be released on anticipatory bail in connection with Isuapur P.S. Case no. 34 of 2022 on furnishing bail bond of Rs 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Saran



at Chapra.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

