

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62534 of 2023

Arising Out of PS. Case No.-17 Year-2022 Thana- SHANKARPUR District- Madhepura

VIKASH KUMAR @ VIKAS KUMAR Son Of Lalan Yadav Resident Of
Vilage- Damgara Ward No.- 6, P.S.-Shankarpur, Distt- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv.

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-09-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Shankarpur P.S. Case No. 17 of 2022, dated 29.01.2022
registered for the offence(s) punishable under Section(s) 399
and 402 of the Indian Penal Code and Section(s) 25(1-B)A, 26
and 35 of the Arms Act.

3. This is second attempt of the petitioner to get the
relief of regular bail and his earlier prayer was rejected by this
Bench vide order dated 20.02.2023 passed in Cr. Misc. No.
32606 of 2022 preferred by this petitioner.

4. The main submissions advanced by learned
counsel for the petitioner are that petitioner's earlier prayer was
rejected by this Court vide order dated 20.02.2023 passed in Cr.



Misc. No. 32606 of 2022 in which petitioner was granted liberty to renew his prayer for bail after six months from the date of that order and thereafter the said period has passed but even then no progress in the petitioner's trial has taken place till date and his case is at the same stage as it was at the time of rejection of his earlier prayer. Further submissions are that as per allegation one loaded country-made pistol and three live cartridges are stated to have been recovered from the possession of this petitioner, knife and blades are stated to have been recovered from co-accused Mikal Kumar and Mithilesh Kumar @ Chhotu who were apprehended along with this petitioner at the spot and the said co-accused persons have been granted bail by the Trial Court itself on 17.05.2022 and the petitioner has been languishing in jail since 30.01.2022, though against him, there are criminal antecedent of six cases but he has got bail in all the said cases except one case. Further submission is that the petitioner is twenty one year old young person.

5. Learned APP appearing for the State has opposed the prayer for bail.

6. Considering the above circumstances pointed out by learned counsel for the petitioner and also taking into account petitioner's custody period, in my opinion, the



petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Shankarpur P.S. Case No. 17 of 2022.

(Shailendra Singh, J.)

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