

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63842 of 2022

Arising Out of PS. Case No.-129 Year-2022 Thana- NAUBATPUR District- Patna

Vivek Kumar Son Of Jai Vilash Singh @ Jaybilash Singh R/O- Vishunpura,
P.S.- Bihta, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 14-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, informant alleged that on 03.03.2022 when he was at petrol pump as his daily routine, petitioner along with co-accused came on motorcycle and fired on him and his friend. One bullet hit on the waist of the informant and other bullet crossed from the ear of the informant's friend Anil Rai.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The name of the petitioner



came into light merely on the basis of confessional statement of the co-accused Gulshan Kumar, before the police which has got no evidentiary value in the eye of law. Neither the petitioner's name is mentioned in the FIR nor any incriminating articles have been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 19.07.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 released on bail in connection with Naubatpur P.S. Case No. 129 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-I, Danapur (Patna).

(Sunil Kumar Panwar, J)

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