

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3524 of 2023

Arising Out of PS. Case No.-139 Year-2022 Thana- KHAJAULI District- Madhubani

Vikram Sandilya @ Lala Mishra Son Of Anil Mishra Resident Of Village -
Lokira, P.S.- Benipatti, District - Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 307, 302, 120(B) of the Indian Penal Code and Section 27 of Arms Act.

The prosecution case in nutshell is that when the informant was going to plot of Gitti-sand from Durga Mandir Chowk, he heard the sound of firing then he rushed towards it, where he saw the petitioner along with other co-accused persons fleeing. When the informant reached at the place of occurrence, he found



his son and one Muninder Goit has sustained gun shot injuries. Thereafter, they were taken to hospital where doctor declared the informant's son brought dead.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither there is any eye witness nor there is any consistent material evidence. The injured, Muninder Goit has not identified anyone as assailant. The petitioner has no concern with the alleged motorcycle which was found at the place of occurrence. Moreover, the petitioner is languishing in judicial custody since 05.09.2022. Similarly situated co-accused persons have been granted Bail by this Court as well as co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody,



this Court is inclined to enlarge the petitioner on bail.

The above named petitioner is directed to be enlarged on bail in connection with Khajauli P.S. Case No. 139 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, IV, Madhubani.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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