

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78429 of 2023

Arising Out of PS. Case No.-194 Year-2023 Thana- RAJPUR District- Buxar

VIVEK KUMAR RAJBHAR Son of Umashankar Rajbhar R/o vill -
Trikalpur, P.S. - Rajpur, Distt. - Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rajpur
P.S. case No. 194 of 2023 instituted for the offences under
Sections 394 of the Indian Penal Code and 27 of the Arms Act.

3. Prosecution allegation, in short, as per FIR , is that
four miscreants boarded on motorcycled tried to loot the
informant on the point of pistol. On protest, they assaulted the
informant and opened fired upon the informant which hit below
the right elbow of the informant.

4. It has been submitted on behalf of the petitioner that
the petitioner was remanded on this case on 23.06.2023 and has
one criminal antecedent. The petitioner has falsely been
implicated in the present case. Petitioner is not named in the FIR



not put on TIP. There is no eye witness to the alleged occurrence. Nothing has been recovered from the conscious possession of the petitioner. The named of this petitioner has been transpired on the basis of confessional statement of the co-accused, namely Shivam Pathak, in Rajpur P.S. Case No. 195 of 2023. Similarly situated co-accused person has already been granted bail by the co-ordinate Bench of this Court vide order dated 15.09.2023 passed in Cr. Misc. No. 60907 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajpur P.S. case No. 194 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

