

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12825 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- BHAGWANPUR District- Vaishali

Vikas Kumar S/O Shri Vinit Kumar Tiwary R/O Village- Thathiyan, P.O-
Belaur, P.S- Kudhni, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. case No. 261 of 2023 instituted for the
offences under Sections 414/399/402 of the Indian Penal Code
and 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution case, in short, is that, police on secret
information raided the place of occurrence. Seeing the police,
the accused persons tried to flee away but three of them
including this petitioner were apprehended. On search, one knife
was recovered from the possession of this petitioner whereas
from co-accused Arvind Sahani and Vishwajeet Pratap Singh
two country-made pistols and live cartridges were recovered. It
is further alleged that one car was also seized.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case due to high-handedness of police officials, and in fact, no incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has got no concern with the alleged recovery. Charge-sheet has been submitted in this case. There is no compliance of Section 100 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.11.2023 and has two criminal antecedents.

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 Bhagwanpur P.S. case No. 261 of 2023.

(Rudra Prakash Mishra, J)

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