

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13374 of 2024

Arising Out of PS. Case No.-418 Year-2022 Thana- BUDDHACOLONY District- Patna

Vicky Kumar @ Tik Tik Son of Late Munna Yadav Resident of Village-
Nimaghat Choparpatti, P.S.- Khajekan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Pramod Kumar, Advocate

For the State : Mr. Nirmal Kumar Sinha, APP

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Budha Colony P.S. Case No. 418 of 2022 instituted for the offence under Sections 394, 395, 397 & 412 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case in a nutshell is that father of the informant was fired by three unknown miscreants with an intention to kill him and took away his bag containing a lunch box and some important documents.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21-10-2022. Petitioner bears three criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused, and the same has no evidentiary value. It is further submitted that no incriminating article has been recovered from the possession of the petitioner. Other co-accused have been granted bail by a Co-ordinate Bench of this Court, *vide* order dated 11-05-2023 & 03-07-2023, passed in Cr. Misc. No. 16839 of 2023 & Cr. Misc. No. 36862 of 2023, respectively. Charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, charge sheet being submitted and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Budha



Colony P.S. Case No. 418 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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