

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26265 of 2024

Arising Out of PS. Case No.-294 Year-2023 Thana- GOPALPUR District- Gopalganj

Bikash Kumar @ Vikash Kumar, aged about 25 years, Male, S/O Rama Shankar Sah @ Rama Shankar Prasad R/O Village- Kawahi, P.S- Uchkagaon, Distt.- Gopalganj.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Irshad Ahmad Khan, Advocate
For the Opposite Party : Mr. Rajendra Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 11-07-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gopalpur P.S Case No. 294 of 2023 dated 05.12.2023 registered for the offence punishable u/s 395 of the Indian Penal Code.

3. As per the prosecution case, the informant along with his friend had come to attend a marriage ceremony on 04.02.2023 at Bikrampur on his motorcycle. After attending the marriage ceremony when they reached near school of village Dubey Khareya they were surrounded by five miscreants who were on two motorcycles and started abusing them. Both of them were stabbed with knife due to which they sustained injuries. The informant and his friend fled away leaving the motorcycle and it is also alleged that his motorcycle was taken by the miscreants.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The co-accused person has already been granted bail by a bench of this Court vide order dated 13.05.2024 passed in Criminal Miscellaneous No. 34204 of 2024. The petitioner is not named in the FIR. The name of the petitioner has transpired in this case during the course of investigation. No TIP has been conducted by the prosecution. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 22.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Gopalpur P.S Case No. 294 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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