

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32954 of 2024

Arising Out of PS. Case No.-163 Year-2022 Thana- NIMCHAKBATHANI District- Gaya

Wakil Miyan @ Dukhu Miyan S/o Late Alidaj Miyan R/o vill - Manjhauli,
P.S. - Neemchak Bathani, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kunwar Narayan Jamuar

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-05-2024 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 Neemchak Bathani P.S. Case No. 163/2022, registered for the offences punishable under sections 25(a) and 27 of the Indian Penal Code.

3. As per the prosecution case, a video went viral on social media which was received by the informant, in which two miscreants with country made pistol were firing in a dance programme. The informant along with police personnel reached there and identified one of the miscreants as the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. There is no specific allegation against the petitioner rather the allegation is general and omnibus in nature. The petitioner has eight criminal antecedents and he is on bail in six cases as stated in para 3 of the bail petition. The petitioner is in custody since 08.11.2023.

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, Gaya in connection with Neemchak Bathani P.S. Case No. 163/2022, with further condition:-

(I.) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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