

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39676 of 2024

Arising Out of PS. Case No.-370 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

Raj Vivek @ Vivek @ Firangi SON OF BRAJ BHUSHAN SINGH R/O vill.-
Balwakuari, P.S.- Hajipur Sadar, Dist.-Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh
For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 394, 307 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per F.I.R is that on 20.05.2022, three criminals entered into the informant's shop with pistol in their hands and robbed cash of Rs. 30,000/- and mobile and fired upon the staffs Anil Kumar Sharma and Sonu Kumar due to which they sustained gunshot injuries. One of them was



apprehended who disclosed his name as Monu Kumar, the co-accused.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. Neither the petitioner is named in the F.I.R. nor he was apprehended on spot. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the robbery or the co-accused persons. His name sprang up in this case on the basis of confessional statement of apprehended co-accused Monu Kumar. The petitioner is languishing in custody since 25.01.2024. moreover, co-accused Monu Kumar, who was apprehended on spot, has already been granted bail vide order dated 22.08.2023, passed in Cr. Misc. No. 68862 of 2022 by this Court and the case of petitioner stands on better footing as that of him.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the



petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 370 of 2022.

(Sunil Kumar Panwar, J)

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