

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41723 of 2024

Arising Out of PS. Case No.-2 Year-2024 Thana- ISMAILPUR District- Bhagalpur

Vikash Kumar S/O Nate Ram R/O Village- Nayatola Fulkiya, P.S- Ismailpur,
Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

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

ORAL ORDER

3 09-08-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Ismilepur P.S. case No. 02 of 2024 instituted for the offences
under Sections 341, 307, 34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. Prosecution story, in short, is that when the
informant was returning after purchasing vegetables, all the
accused persons, including the petitioner gathered at the place of
occurrence and, in the meantime, petitioner fired upon the
informant which hit the back of the informant. After firing, all
the accused persons fled away.

4. Learned counsel for the petitioner submitted that



petitioner has falsely been implicated in the present case. It is submitted that parties are agnates. It is submitted that injury is found to be grievous in nature. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.01.2024 and have no criminal antecedent. It is lastly submitted that charge sheet has been submitted in this case and cognizance is also taken. Other co-accused have been granted bail by this Court *vide* order dated 17-05-2024, passed in Cr. Misc. No. 37048 of 2024.

5. earned 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, charge sheet being submitted as well as 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ismilepur P.S. case No. 02 of 2024, 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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