

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55636 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- BALIYA District- Begusarai

VIKAS KUMAR @ VIKASH KUMAR S/O KARE MAHTO R/O
VILLAGE- BARIARPUR, P.S- BALIA, DISTT.- BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Gautam, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-09-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 25(9) of the Arms Act in connection with Balia P.S. Case No.66 of 2024.

3. The learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that photo of Vikash son of Dashrath Paswan went viral on social media who was seen carrying two arms, accordingly the house of Vikash was raided and he was apprehended but nothing was recovered from his house, but then he disclosed that the arms were given to him by Sonu and Monu, son of Binod Singh, Durgesh and Vikash, son of Kare Mahto (Petitioner) who indulged in crime, further if house of Sonu and Monu is raided



the arms would be recovered.

4. The learned counsel submits that petitioner has been falsely implicated in the instant case based on confessional statement of Vikash, son of Dashrath Mahto in police custody which does not have any evidentiary value. It is also submitted that the order impugned wrongly records that arms were recovered from Vikash son of Dashrath Paswan, as from perusal of the FIR it would manifest that no objectionable material was recovered from the house of Vikash, son of Dashrath Paswan. The learned counsel next submits that petitioner will not abscond, rather will cooperate in the investigation to prove his innocence.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Balia P.S. Case No.66 of 2024,



subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a further condition that one of the bailor of the petitioner shall be his father, Kare Mahto.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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