

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51236 of 2024

Arising Out of PS. Case No.-913 Year-2023 Thana- RUPASPUR District- Patna

Vivek Kumar @ Chandan, Male, aged about 22 years, S/O Lal Kishun Pandit,
R/O Village- Bocha Chak, P.S- Phulwari, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Jha, Advocate

For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

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

ORAL ORDER

2 01-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions
Trial No. 240 of 2024, arising out of Rupaspur P.S. Case No.
913 of 2023 dated 11.11.2023 registered for the offences
punishable under Sections 302, 120B/34 of the I.P.C. and
Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, six unknown miscreants
boarded on two motorcycles made indiscriminate firing on the
vehicle of the informant's son due to which the informant's son
Alok Kumar sustained injuries. The informant rushed to Paras
Hospital, where the informant's son was declared dead.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. It is submitted that there is general and omnibus allegation against the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has come in the present case on the basis of his self confessional statement made before the police. It is further submitted that even the co-accused in their confessional statements have not named the petitioner but police has falsely arrested the petitioner. The petitioner has no concern with the alleged offence. No T.I. Parade has been conducted. The petitioner runs a *Chowmin* shop on the road near the BM16 for livelihood of his family members. The charge sheet has been submitted in the present case. The other co-accused persons have already been granted bail by a Bench of this Court vide Cr. Misc. No. 30247 of 2024 under order dated 30.04.2024 and Cr. Misc. No. 38125 of 2024 under order dated 04.07.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 13.11.2023.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned Additional Sessions Judge-V, Danapur in connection with Sessions Trial No. 240 of 2024, arising out of Rupaspur P.S. Case No. 913 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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