

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65957 of 2023**

Arising Out of PS. Case No.-49 Year-2021 Thana- KAMTAUL District- Darbhanga

Vivek Kumar @ Ravi Kumar, Son Of Late Laxman Mahto, Mohalla - Kotwali  
Chowk, P.S. Laheriasarai, District Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok Chaubey, Advocate

For the Opposite Party/s : Ms. Pronoti Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

4      31-01-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks regular bail in connection with  
Kamtaul P.S. Case No. 49 of 2021 for the offence registered  
under Sections 341,, 324, 307, 120(B), 34 of the I.P.C. and  
Section 27 of the Arms Act.

3. As per allegation in the F.I.R., it has been alleged  
that on 25.02.2021 at about 06:00 pm Renu Devi, wife of  
Prahlad Mahto (co-accused) called the informant on mobile to  
take rest remuneration for the work done in Nal Jal Yojna. When  
the informant arrived at the spot Harpur, petitioner, his wife and  
some unknown started firing with intention to kill. He received  
bullet injuries on stomach and fell down and rushed to Paras  
Global Hospital for treatment.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. The entire amount between the co-accused and informant with respect to execution of work jointly under Nal Jal Yojna has settled long back. There is no eye witness of the alleged occurrence and the police after investigation submitted charge-sheet against the petitioner. It is further submitted that similarly situated co-accused Prahlad Mahto has already been granted regular bail by a coordinate Bench of this Court vide order dated 05.04.2022 passed in Cr. Misc. No. 53039 of 2021. The petitioner has no criminal antecedent is in custody since 14.03.2023.

5. Learned APP for the State has opposed the prayer for the bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kamtaul P.S. Case No. 49 of 2021, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

**(Sunil Dutta Mishra, J)**

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