

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62700 of 2024

Arising Out of PS. Case No.-86 Year-2024 Thana- MINAPUR District- Muzaffarpur

Vikash Kumar @ Pakaruriya son of Late Nageshwar Ray Resident of Village-
Muza Bangra Ward No 01, P.S.- Deoriya, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binoy Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-09-2024 Heard Mr. Binoy Kumar, learned counsel for the

petitioner and Mr. Shyam Kumar Singh, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
10.03.2024, in connection with Minapur P.S. Case No. 86 of
2024 arising out of G.R. Case No. 1032 of 2024, FIR dated
10.03.2024, registered for the offence under Sections 379, 414
and 34 of the Indian Penal Code and Section 25(1-b)a, 26 & 35
of the Arms Act.

3. As per the prosecution case, 20 litres of diesel, a
loaded pistol and while unloading the pistol a live *kartush* is
said to have been recovered from the possession of the
petitioner.

4. Learned counsel appearing for the petitioner



submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that as per the allegation in the FIR altogether 20 litres of diesel and one loaded pistol have been recovered from the possession of the petitioner. He further submits that the recovery has not been made under Section 100 of Cr.P.C. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 10.03.2024.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four cases other than the present one.

6. Considering the aforesaid facts, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, (east) Court No.8, Muzaffarpur in connection with Minapur P.S. Case No. 86 of 2024 arising out of G.R. Case No. 1032 of 2024 with the following conditions:-

(i) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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