

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82395 of 2024

Arising Out of PS. Case No.-739 Year-2024 Thana- MAHUA District- Vaishali

Vikash Kumar Son of Dharmendra Ray Resident of Village- Mirza Nagar, PS-
Mahua, Distt.- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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

ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Mahua
P.S. Case No. 739 of 2024 instituted for the offence under
Sections 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and
Section 66 of the I.T. Act and Sections 25(1-B)a, 26 & 35 of the
Arms Act.

3. Prosecution case in short is that one video went
viral on social media with firearms and on investigation, one
pistol was recovered from the house of the petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 10-08-2024. Petitioner is a



man of clean antecedent.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. From perusal of the FIR, it is apparent that petitioner was not in the viral video and petitioner is neither member of any such group nor he has any concern with them. On the confessional statement of co-accused, Manish Das, recovery of pistol is alleged to be made from the house of the petitioner. It is next submitted that petitioner has not used the said fire arms.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and clean antecedent of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahua P.S. Case No. 739 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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