

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9233 of 2025

Arising Out of PS. Case No.-1010 Year-2023 Thana- ALAMGANJ District- Patna

Vikas Kumar, Male, aged about 25 years, Son of Kishori Ram, R/O village-
Rajputana Gali, Jalla Road, P.S.-Alamganj, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Madhukar Anand, Advocate

For the Opposite Party : Mr. Murli Dhar, A.P.P.

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

ORAL ORDER

2 19-03-2025 Earlier the prayer for anticipatory bail of the petitioner

was dismissed as withdrawn vide Cr. Misc. No. 63730 of 2024

under order dated 27.09.2024 by a Bench of this Court, annexed

as Annexure-1 to the present bail petition.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks bail in connection with
Alamganj P.S. Case No. 1010 of 2023 dated 01.11.2023
registered for the offences punishable under Section 302 of the
I.P.C. and Section 27 of the Arms Act.

4. As per the prosecution case, some unknown
miscreants are alleged to have committed murder of the
informant's brother by firing bullet on his head.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is not named in the F.I.R. It is submitted that the informant is not an eye witness to the alleged offence. It is further submitted that even during the course of investigation, no eye witness come forward to support the alleged offence. The name of the petitioner has surfaced during the course of investigation. On 02.11.2023, the I.O. received a secret information and on that basis Suraj Kumar, Vikash Kumar (petitioner), Chhotu Kumar and Arjun Yadav were named and thereafter Arjun Yadav was arrested on 05.11.2023 and on 06.11.2023, his confessional statement was recorded by the I.O. under duress in which he named the petitioner and Arjun Yadav (himself), Shankar Yadav and Chhotu. The confessional statement of the full brother of the petitioner Deepu Kumar was also recorded and except the confessional statement of the co-accused there is no other substantive evidence to suggest the implication of the petitioner in the present case. The petitioner has been made accused in the present case only because he happens to be the full brother of the co-accused Deepu Kumar. No incriminating article has been recovered from his possession. It is submitted that the other co-



accused person, namely, Shankar Saw, has already been granted anticipatory bail by a Bench of this Court vide Cr. Misc. No. 33216 of 2024 under order dated 09.08.2024, Dippu Kumar has already been granted regular bail by a Bench of this Court vide Cr. Misc. No. 34202 of 2024 under order dated 13.05.2024 and Arjun Yadav @ Arjun Kumar has already been granted regular bail by a Bench of this Court vide Cr. Misc. No. 44702 of 2024 under order dated 20.07.2024, annexed as Annexure- 3 series to the present bail application. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 04.09.2024.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to 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 learned A.C.J.M.-VI, Patna City in connection with Alamganj P.S. Case No. 1010 of 2023 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court



below on each and every date, failing which
on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are
liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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