

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31544 of 2025

Arising Out of PS. Case No.-299 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

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Vicky Thakur @ Vicky Kumar @ Baua Son of Late Sunil Ram Resident of
village - Belisharay Sadar Hospital Campus, P.S.- Town, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

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

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

ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Town
P.S. Case No. 299 of 2024 instituted for the offence under
Sections 307, 326 & 34 of the Indian Penal Code and Section 27
of the Arms Act.

3. Prosecution case in brief is that all the co-accused
persons including the petitioner have fired upon the informant,
who was sitting with his mother at '*Braham Baba Asthan*', with
the intention to kill. In the meantime, mother of the informant,
namely, Seema Devi got injured by fire arm injury, thereafter,
she was taken up for treatment.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27-02-2025. Petitioner bears six criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case at the instance of the enemies. There is no specific allegation against the petitioner, rather allegation is general and omnibus in nature. It is submitted that allegations do not corroborate with the injury report, as only mother of the informant has sustained single fire arm injury. Other co-accused Devendra Sahani has already been granted bail by this Court *vide* order dated 21-09-2024, passed in Cr. Misc. No. 50038 of 2024. Co-accused Vikram Kumar has also been granted bail by this Court *vide* order dated 24.01.2025 passed in Cr. Misc. No. 3202 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. It is submitted that independent witnesses have supported the case. Charge-sheet has been submitted in this case.

7. Considering the aforesaid facts and circumstances



of the case, period of custody of the petitioner, there being no specific allegation of firing against the petitioner as also the prayer for bail being based on parity, 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 Town P.S. Case No. 299 of 2024.

(Rudra Prakash Mishra, J)

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