

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38274 of 2025**

Arising Out of PS. Case No.-125 Year-2024 Thana- BARACHATTI District- Gaya

Vikky Kumar, Male, aged about 20 years, Son of Sanjay Paswan, Resident of Village - Amhana, P.S.- Mohanpur, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Ms. Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER**

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barachatti P.S. Case No. 125 of 2024 instituted for the offences punishable under Sections 341, 323, 307, 385, 304 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, it is case of short fire upon the son of the informant and also extortion of Rs. 10,00,000/- by the accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent has committed no offence and has falsely been implicated in this case merely on the basis of dirty village politics. He submits that the petitioner is not named in the FIR but his name surfaced in this case only on the basis of suspicion.



He further submits that nothing incriminating articles has been recovered from the conscious possession of the petitioner. He next submits that there is no any eye witness of the alleged occurrence. He lastly submits that there is no any independent witness who has come forward to say about the involvement of the petitioner in the alleged crime. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 08.02.2025.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned District and Additional Sessions Judge-III, Sherghati, Gaya dated 07.05.2025, it appears that petitioner is not named in the FIR and his name transpired in this case during course of investigation only on the basis of suspicion. From perusal of the records, it also appears that on the basis of written report of the informant Gopal Paswan, FIR has been lodged under Sections 341, 323, 307, 385, 304 of the Indian Penal Code and Section 27 of the Arms Act against unknown persons and name of the petitioner surfaced in this case only on the basis of suspicion. Investigation has already been concluded and no Test Identification Parade has been conducted during investigation and petitioner has got clean antecedent as stated in para 3 of the



petition, so considering all these aspects of the matter, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned A.C.J.M.-II, Sherghati, Gaya in connection with Barachatti P.S. Case No. 125 of 2024.

(Ramesh Chand Malviya, J)

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