

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56960 of 2025

Arising Out of PS. Case No.-222 Year-2024 Thana- MALI District- Aurangabad

Vikky Giri @ Vikki Giri S/o Binod Giri R/o Village- Akioraha, P.S.- N.T.P.C.,
Khaira, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dhaneshwar Prasad Gupta, Adv.
For the informant	:	Mr. Parmendra Kumar Singh, Adv.
For the Opposite Party/s	:	Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 14-11-2025 Heard learned counsel for the petitioner, learned senior counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Mali P.S. Case No. 222 of 2024 dated 01.12.2024 registered for the offences punishable under Sections 103(1), 61(2) read with Section 3(5) of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, on 30.11.2024 at about 4.30 P.M., the informant alongwith his father, namely, Sanjay Kumar Singh, was going on a four wheeler vehicle and at about 6.15 P.M., they reached near at Sonaura Pool, three persons riding on a motorcycle came there and asked from his father about 'what happened ?'. In the meantime, three persons riding on an Apache Motorcycle also came there and the pillion rider



opened fire on the head of the informant's father leading to his death on the spot. In the light of vehicle's indicator, the informant identified the persons who opened fire on his father as Rakesh Giri and Mantu Yadav who is sitting with him and the persons who were sitting on another motorcycle as Kamlesh Mehta and Sanjay Giri. The drivers of both the motorcycles were wearing Helmet as such they could not be identified. Rakesh Giri said to the informant that 'Bole The Na Khoon Ka Aashu Rona Hoga.' then the informant in order to save his life ran away towards a paddy field after opening the door of the vehicle and the co-accused persons opened fire thrice on him.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is not named in the F.I.R. His name has come in the present case during the course of investigation and on the basis of the confession and statement of the co-accused, Kamendra Kumar Singh. It is further submitted that from perusal of the postmortem report, it appears that the deceased had received only one bullet injury on his head and no other injury was found anywhere on the body of the deceased. There is no allegation of firing against the petitioner on the deceased and from perusal of the F.I.R., it appears that



the specific allegation of firing on the deceased is against the co-accused persons Rakesh Giri and Mantu Yadav. No incriminating article has been recovered from his possession. The co-accused person has already been granted regular bail by this court vide order dated 16.07.2025 passed in Cr. Misc. No. 19270/2025. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 23.01.2025.

5. Learned A.P.P. for the State and learned senior counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. 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 C.J.M. Aurangabad in connection with Mali P.S. Case No. 222 of 2024 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 bond of the petitioner is liable
to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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