

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59713 of 2025

Arising Out of PS. Case No.-147 Year-2024 Thana- KOILWAR District- Bhojpur

Vivek Kumar S/O Vijay kumar Resident of village- Barka Chanda, P.S.-
Koilarwar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 04-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Koilarwar P.S. Case No. 147 of 2024 registered for the alleged offences under Sections 341, 323, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, after some altercation, two unknown persons fired upon the informant, causing injuries in his hand and abdomen. The name of the petitioner surfaced during investigation for being involved in the alleged occurrence.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has no concern with the alleged occurrence. The petitioner has not been named in the FIR and no test



identification parade has been conducted. Nothing incriminating has been recovered from the person or possession of the petitioner. The name of the petitioner came upon in this case in the confessional statement of co-accused Arun Kumar and except for the confessional statement of co-accused, there is no material to shown the complicity of the petitioner in the alleged occurrence. The petitioner is in custody since 29.06.2024 and charge-sheet has been submitted. The petitioner is having antecedent of three cases.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the absence of substantive material against the petitioner and also considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Koilwar P.S. Case No. 147 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:



- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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