

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77970 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- KARAKAT District- Rohtas

Vikesh Pandey @ Vikesh Kumar Pandey Son of Arun Pandey Resident of
Village - Jamua Tola, P.S. - Karakat, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Karakat P.S. Case No. 55 of 2024, registered for the offences under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, father of the informant was shot dead and the name of the petitioner transpired during investigation as the person who fired upon the deceased and shot him dead.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no material against the petitioner to connect him with the offence as alleged and the petitioner has been



implicated in this case merely on suspicion. The name of the petitioner transpired on the basis of information received by the police but there is no eye-witness to the alleged occurrence and under duress and coercion, the police recorded the confessional statement of the petitioner which has got no legal sanctity. Petitioner is in custody since 07.05.2024 and charge-sheet has been submitted. Petitioner is having antecedent of three cases.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the name of the petitioner transpired during investigation as the person who fired upon the deceased.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the lack of substantive material to connect the petitioner with the offence as alleged and further considering the period of custody of the petitioner and submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bikramganj, Rohtas/concerned court, in connection with Karakat P.S. Case No. 55 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure



and other 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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