

**Vikash Giri Vs. the State of Bihar**

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**SooperKanoon Citation :** [sooperkanoon.com/974632](http://sooperkanoon.com/974632)

**Court :** Patna

**Decided On :** May-12-2012

**Appellant :** Vikash Giri

**Respondent :** The State of Bihar

**Judgement :**

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous  
No.44684 of 2011 Vikash Giri, S/O-Krishannandan Giri Versus The State Of Bihar

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12. 01.2012 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State. Petitioner is in jail custody since 15.08.2011 in a case registered under Section 302 and other minor Sections of the Indian Penal Code as well as 27 of the Arms Act. According to prosecution case itself, petitioner is not assailant and it were co-accused Madan Giri and others who opened fire on the deceased and the informant. Furthermore, at the time of the alleged occurrence, allegedly, petitioner was armed with lathi. So, it would appear from the aforesaid fact that petitioner was simply a member of unlawful assembly. Considering the aforesaid facts and circumstances as well as submissions of the parties, 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 Sub Divisional Judicial Magistrate, Motihari in connection with Rajepur P.S. Case No. 30 of 2011. SHAHZAD ( Hemant Kumar Srivastava, J.)