

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18685 of 2015

Arising Out of P.S.Case No. -35 Year- 2014 Thana -KARPI District- JEHANABAD

Vikash Kumar, son of Late Baliram Sharma, resident of village Bambhai
P.S. Karpi (Shahar Telpa O.P.), District Arwal (Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s: Mr. M.Rab(App)

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 16-06-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioner for offence under Sections 147, 149, 353, 504 and 506 of the Indian Penal Code and that co-accused namely, Sunil Singh, KUnal Sharma, Dhiraja Singh, Pappu Kumar, Srinivash Sharma, MUkesh Kumar, Ganesh Datt in Cr. Misc. No. 23213 of 2014, Surendra Nath Singh in Cr. Misc. No. 23578 of 2014 and Malti Devi, Bandana Devi, Bibha Devi and Abhiram Sharma in Cr. Misc. No. 23150 of 2014, having exactly identical allegation have already been granted privilege of anticipatory bail vide order dated 22.08.2014, 02.09.2014 and 15.09.2014 respectively this Court finding that the petitioner also has got no criminal antecedent, in order to maintain parity, would be inclined to grant privilege of anticipatory bail to the petitioner.

That being so, if the petitioner namely Vikash Kumar surrenders before the court below within a period of four weeks from

today, he shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad (Bihar) in connection with Karpi P.S.Case No. 35/2014, subject to the following conditions:

- (i) That the court below shall make verification of criminal antecedent of the petitioner and if it is found that he is accused in any other criminal case, he shall not be granted bail and would be taken into custody.
- (ii) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the court if there is any change in the address of the petitioner.
- (iii) That the affidavit shall clearly state that the petitioner is not accused in any other case and if he is, he shall not be released on bail.
- (iv) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of his bail on the ground of misuse.
- (v) That the petitioner will be well represented on each

and every date in course of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

Sujit/-

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(Mihir Kumar Jha, J)