

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47454 of 2017

Arising Out of PS.Case No. -276 Year- 2017 Thana -PATRAKARNAGAR District- PATNA

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1. Vikash Kumar Son of Jitendra Kumar Sah, R/o Village- Mithanpura,
P.S.- Mehasi, District- Motihari, At present C/o Ram Das, R/o Mohalla-
Saketpuri Hanuman Nagar, P.S.- Patrakar Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 28-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 07.06.2017 in
connection with Patrakar Nagar P.S. Case No. 276/2017 for
offences punishable under Sections 363, 302, 120-B of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that five persons including the petitioner came, hired the car of the
informant's son Pankaj Kumar and took away the car along with
Pankaj Kumar. Thereafter she received information from the
mother of one Sanjay Kumar that her son has died in a road
accident.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and there is no motive behind the alleged offence. He submits that Traffic Bypass P.S. Case No. 63 of 2017 has been lodged by the police regarding the road accident and the complicity of the petitioner came to the fore on the confessional statement of co-accused. He submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and two of the co-accused, named in the First Information Report, have been granted privilege of bail by coordinate Benches of this Court in Cr. Misc. No. 50535 of 2017 on 10.11.2017 and Cr. Misc. No. 51102 of 2017 on 13.11.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patna, in connection with Patrakar Nagar P.S. Case No. 276/2017, subject to the conditions that :

- (i) One of the bailors of the petitioner shall be a local



person having sufficient immovable property within the jurisdiction of the court concerned.

- (ii) Petitioner will cooperate in trial and appear on each and every date in court and on failure to appear on two consecutive dates without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Nilu Agrawal, J)

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