

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38203 of 2018

Arising Out of PS.Case No. -94 Year- 2018 Thana -BEGUSARAI TOWN District- BEGUSARAI
=====

VIKKU KUMAR @ VIKRAM @ BITTU KUMAR, S/o Anil Shaw, R/o
Bagha, P.S.- Town (Begusarai), District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-07-2018 Petitioner is permitted to make necessary correction in

para-1 of the petition stating the Sections under which the present

F.I.R. has been lodged.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner is languishing in judicial custody since

15.02.2018 in connection with Begusarai (Nagar) P.S. Case No.94

of 2018 for offences punishable under Sections 302, 120B of the

Indian Penal Code and Section 25 (1-b) a/26/27/35 of the Arms

Act.

The prosecution case, as lodged by the informant, is

that while her husband was returning from his duty, he was shot

dead by some unknown persons.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, not named in the F.I.R. and his name transpired on the confessional statement of one Abnish Kumar who has confessed before the police about the criminal conspiracy hatched by him along with the petitioner and other accused persons. He submits that there is no eye witness to the alleged occurrence, charge-sheet has been submitted and other co-accused who has been named by the co-accused Abnish Kumar has since been granted the privilege of bail by coordinate Bench of this Court in Cr. Misc. No. 32326 of 2018 dated 29.06.2018 and Cr. Misc. No. 32535 of 2018 dated 02.07.2018.

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 Chief Judicial Magistrate, Begusarai in connection with Begusarai (Nagar) P.S. Case No.94 of 2018, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will



file an affidavit stating his relationship with the petitioner.

(2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

U		T	
---	--	---	--

