

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75942 of 2018

Arising Out of PS. Case No.-52 Year-2018 Thana- SAMSTIPUR RAIL P.S District-
Samastipur

BIKESH KUMAR @ VICKY Son of Ramesh Sharma, Resident of Village-
Lakhnipur Maheshpatti, P.S.- Ujiyarpur, District- Samastipur Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha
For the Opposite Party/s : Md. Mustaque Alam

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-01-2019 Heard learned counsel for the petitioner, informant
and the learned APP for the State.

The petitioner seeks bail in connection with Rail
Samastipur P.S. Case No. 52 of 2018 instituted for the offence
under Section(s) 302/34 of the Indian Penal Code and 27 of
Arms Act.

It is alleged in the written report filed by the co-
passenger, Saroj Kumar Jha, that two unknown persons shot
dead victim at Nazirganj Railway Station inside the bogie of
Lokmanya Tilak Terminal Express and the victim fell down in
the bogie. Thereafter, the informant informed the police officials
and the case was registered.

Case diary has been received in this case.



Learned counsel for the petitioner submits that petitioner is not named in the written report. The name of the petitioner has come on the basis of details of CCTV footage.

Learned counsel for the informant has submitted that this petitioner was identified by one of the witnesses, namely, Sushil Kumar during Test Identification parade. It is further submitted that in para 233 of the case diary it is mentioned that two persons, namely, Manoj Kumar Sonkar and Rakesh Kumar Ranjan have identified this petitioner.

Learned counsel for petitioner submits that FIR has been lodged by the informant Saroj Kumar Jha. There is no identification made by Saroj Kumar Jha during the Test Identification Parade. Learned counsel for the petitioner further points out that other accused person with similar allegation has already been granted regular bail by this Court by order(s) passed in Criminal Misc. No. 62160 of 2018 and Criminal Misc. No. 59810 of 2018. Learned counsel for petitioner submits that beside suspicion there is no other material against this petitioner.

Learned counsel for the informant has submitted that there is mobile tower location of petitioner and on that basis police has connected this petitioner in the aforesaid crime.



The petitioner is in custody since 15.04.2018.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Samastipur in connection with Rail Samastipur P.S. Case No. 52 of 2018 arising out of S.T. No. 371 of 2018, subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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