

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57272 of 2019

Arising Out of PS. Case No.-183 Year-2018 Thana- NOORSARAI District- Nalanda

VIKASH KUMAR Son of Vishwa Nath Ray Resident of Village- Chainpur,
P.S.- Deoriya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 16-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Noor Sarai P.S. Case No. 183 of 2018
registered for the offence punishable under Sections 302, 201/34
of the Indian Penal Code.

Petitioner had earlier moved this Court for regular
bail vide Cr. Misc. No. 3062 of 2019 which was rejected on
27.02.2019.

Informant is the Chaukidar who has stated that on
29.07.2018 when he was going to Noorsarai on his duty, he saw
that many people were assembled by the side of road and when
he reached there, he saw a dead body of a person and blood was
oozing out from his mouth. He suspected that some unknown



person has killed him by throttling and thereafter threw his dead body.

It has been submitted on behalf of petitioner that petitioner is not named in the FIR. His name has surfaced in this case on the basis of confessional statement made by co-accused Bikki Kumar who has already been granted bail by this Hon'ble Court as contained in Annexure-3. Petitioner is in custody since 09.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon 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, (Biharsharif) at Nalanda, in connection with Noor Sarai P.S. Case No. 183 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or



the witnesses of the case, in that case, prosecution
will be at liberty to move for cancellation of bail of
the petitioner.

(S. Kumar, J)

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