

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78251 of 2018

Arising Out of PS. Case No.-793 Year-2018 Thana- BIHTA District- Patna

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Vijay Kumar Son of Late Ram Chandar Rai. Resident of Village- Mustafapur,
Jaganlia Tola, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Helal Ahmad
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 16-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Bihta P.S. Case No. 793 of 2018 registered for the offence punishable under Sections 147, 148, 149, 448 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that in the night of 17/18.07.2018, accused persons including the petitioner entered into his house and told him that you grabbed the entire amount of pension so you would not be alive. It is alleged that, Awadhesh Kumar fired upon his father and Mannu Kumar fired upon Phool Kumari Devi as a result of which they died at the place of occurrence.

It has been submitted on behalf of the petitioner that



he is innocent and has falsely been implicated in this case. It has further been submitted that allegation of firing is not against the petitioner rather the allegation of firing is against co-accused Awadhesh Kumar and Manu Kumar and petitioner has been implicated in this case on account of family relation. Petitioner has no criminal antecedent and he is in custody since 01.10.2018.

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/- with two sureties of the like amount each to the satisfaction of learned ACJM-1st, Danapur in connection with Bihta P.S. Case No. 793 of 2018, with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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