

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2182 of 2019

Arising Out of PS. Case No.-98 Year-2018 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Vikram Kumar Mahesh Pd.Singh @ Mahesh Singh Vill-Basudevpur, Korla,
P.S-Moufassil,Distt.-Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar @ Alok Kr Shahi, Adv.
For the Opposite Party/s : Mr.Rajballabh Singh(App122) (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 24-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Nawkothe P.S. Case No. 98 of 2018, registered
for the offences punishable under Sections 302 and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

Informant who is brother of the deceased has
alleged that on 21.09.2018 four persons as named in FIR
including petitioner forcibly took away his brother on Scorpio.
He followed them and saw that his deceased brother was
running ahead and Bittu Singh and Dhiraj Singh were chasing
and kept firing upon him for one 1 K.M. and even after his
request they shot him dead and fled away.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been



falsely implicated in this case. There is no allegation against the petitioner rather allegation of firing is upon Bittu Kumar and Dhiraj Kumar. Petitioner has no criminal antecedent and is in custody since 05.10.2018.

Counsel for informant vehemently opposed the prayer for bail.

Considering the aforesaid fact 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, Begusarai, in connection with Nawkothe P.S. Case No. 98 of 2018, subject to 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 Court and his absence on two consecutive dates without sufficient reasons, 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)

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