

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4392 of 2019**

Arising Out of PS. Case No.-260 Year-2017 Thana- BARH District- Patna

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Vidyanand Kumar @ Oathkatwa son of Keshwar Prasad, Resident of village-  
Bisarpur, P.S.-Naubatpur, Distt-Patna

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Amresh Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava (APP)

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

2      28-01-2019                      Heard learned counsel for petitioner and learned  
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Barh P.S. Case No. 260 of 2017, registered for the offences punishable under Sections 302, 307, 120(b)/34 of of the Indian Penal Code and Section 27 of Arms Act.

Informant has alleged that while he along with Guddu Singh were alighting from the vehicle for being produced before the court, firing was resorted to by accused persons. He and Guddu Singh both were hit by the firing. Guddu Singh (deceased) while falling down in injured condition disclosed that Sonu and Monu have committed the murder.

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. The name of the petitioner has



surfaced on the confessional statement of co-accused Monu. Except confessional statement there is nothing against the petitioner. Petitioner has not been put on T.I.P. Similarly placed co-accused have been granted bail by co-ordinate bench of this as contained in Annexure-2 series. Petitioner is in custody since 23.03.2018.

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 A.C.J.M., Barh, in connection with Barh P.S. Case No. 260 of 2017, 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)**

Rajiv/-

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