

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 81720 of 2019

Arising Out of PS. Case No.-360 Year-2019 Thana- GAYA KOTWALI District- Gaya

Vikash Kumar aged about 20 years (Male) Son of Suresh Prasad Resident of Village- Samit Takiya Durga Asthan, P.S.- Rampur, District- Gaya, At present Renter of Putul Devi House, Mahalla- Bageshwari Colony, P.S.- Delha, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha
For the Opposite Party/s : Mrs. Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 12-12-2019 Heard learned counsel for the parties.

The petitioner seeks bail in Kotwali P.S. Case No. 360 of 2019 registered for the offence under Section 307 & other allied sections of the I.P.C.

It is a case of threat and loot of Rs. 30,000/- (thirty thousand) from the shop of informant and F.I.R. was lodged against two known and 20-25 unknown persons.

It is submitted on behalf of petitioner that petitioner is not named in the F.I.R. and he has falsely been implicated in this case due to suspicion. Specific allegation of firing has been levelled against co-accused Rohit Paswan and Aman Paswan. It is further submitted that one co-accused namely Kumar Anmol has already been granted bail by this Court, vide order dated 06-12-2019 passed in Cr.Misc. No. 78422 of 2019. In this case,



chargesheet has also been submitted and as such, there is no chance of tampering with the evidence against the petitioner and petitioner is in custody since 08-08-2019, having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged on bail on 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, Gaya in connection with Kotwali P.S. Case No. 360 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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