

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2385 of 2020

Arising Out of PS. Case No.-85 Year-2019 Thana- KHIRI MORE District- Patna

VIDYANAND PATHAK @ VIDYHANAND PATHAK, aged about 48 years,
Male, Son of Late Maharshi Pathak Resident of Village - Mera, P.S.- Khiri
More, District – Patna ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Sinha, Adv.
For the Opposite Party : Mr.Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 24-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks bail in connection with Khiri More P.S.
Case No. 85 of 2019, registered under Sections 120B, 307, 379, 411
and 115 of the Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms
Act.

The accusation is that on receiving the information about
presence of three boys having arms with Apache motorcycle in the
south of Raghunathpur High School, the informant, along with other
police personnel, reached there. On seeing the police party, three
persons, present with the motorcycle, started to flee away leaving the
motorcycle, but, on chase, they were apprehended, who disclosed
their name Sujir Kumar, Amit Kumar and Praful Kumar. On search,
Sujit Kumar was found in possession of loaded country made pistol,
containing five live cartridges in the magazine, Amit Kumar was
found with loaded country made pistol with two live cartridges and
Praful Kumar was also found in possession of loaded country made
pistol and two live cartridges. Regarding the ownership of the



Apache motorcycle, they did not give any paper. On query, Sunit Kumar disclosed that Brajendra Kumar and Satish Mehta had instructed them to commit murder of Navin Yadav and agreed to give Rs.1,50,000/- and he had given advance of Rs.50,000/- and he also said that remaining amount will be paid by Vidyanand Pathak (petitioner).

Submission is that the name of the petitioner has been disclosed by three co-accused, who are said to be apprehended by the police with the fire arms. The petitioner has no criminal antecedent and is in custody since 19.10.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Khiri More P.S. Case No. 85 of 2019 to the satisfaction of Sri Manish Kumar, Judicial Magistrate, 1st Class, Danapur, Patna, subject to the condition that out of two bailors, one must either be parent or close relative of the petitioner.

(Rajendra Kumar Mishra, J)

Shamshad/-

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