

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13105 of 2020**

Arising Out of PS. Case No.-177 Year-2019 Thana- ASHTHAWAN District- Nalanda

VIKKY KUMAR, S/o Naro Yadav Resident of Village- Ashthawan, P.S-
Asthawan, Distt- Nalanda at Biharsharif.

... .. Petitioner

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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

ORAL ORDER

6 09-11-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with
Asthawan P.S. Case No. 177 of 2019, registered under
Sections 363 and 365 of the Indian Penal Code.

The accusation is that the marriage of Mamta
Devi, sister of informant Pawan Kumar, was performed with
Santosh Kumar @ Sushil Kumar, resident of village-Ugawan,
P.S. Asthawan, District- Nalanda. The sister of informant
Mamta Devi along with her two daughters used to reside at
village-Ugawan, whereas his brother-in-law Santosh Kumar @
Sushil Kumar used to reside at his service place Madhupur
with Sweta Kumari, another daughter of Mamta Devi. The
informant noticed that the mobile of his sister Mamta Devi is



switched off for the last seven days, then he called to his brother-in-law Santosh Kumar @ Sushil Kumar, who informed that perhaps the mobile of Mamta Devi is not functioning. On 15.08.2019, the informant went to Madhupur on the occasion of Raksha Bandhan then he did not find his sister and his two Bhagini there then he talked to his brother-in-law Santosh Kumar @ Sushil Kumar, who replied that Mamta Devi used to reside at village-Ugawan and also asked him to make search, but he did not find his sister and her two daughters and later on, the mobile of his brother-in-law Santosh Kumar @ Sushil Kumar also found switched off.

Learned counsel appearing for the petitioner submits that the petitioner is not named in the F.I.R. In course of investigation, the Police recorded the confessional statement of Santosh Kumar @ Sushil Kumar, brother-in-law of informant, who confessed his guilt regarding committing of murder of his wife Mamta Devi and one daughter on suspicion about illicit relation with others hiring to the petitioner as killer, except the confessional statement of co-accused Santosh Kumar @ Sushil Kumar, nothing material collected by the I.O. Further submission is that, in fact, the petitioner is accused in five cases due to that reason, the Police implicated the



petitioner in this case showing his name in the confessional statement of co-accused Santosh Kumar @ Sushil Kumar, husband of the deceased. Sri Sheo Kumar Prasad, learned counsel for the petitioner, further, submits at bar that the petitioner is on bail in all five cases, as detailed in paragraph No.3. In the present case, the petitioner is in custody since 09.10.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Asthawan P.S. Case No. 177 of 2019. Out of two sureties, one surety must be parents/close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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