

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 15566 of 2020**

Arising Out of PS Case No.-401 Year-2019 Thana- HARNAUT District- Nalanda

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Bikki Patel @ Vinay Kumar (Male aged about 24 years) Son of Kalyan Singh, Resident of Mohalla-Bahari Begampur (Jagdeo Park), P.S.-Bypass, District-Patna, at present Nai Sadak Patna City, P.S.-Chowk, Patna City, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rudra Deo, Advocate  
For the State : Ms. Asha Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN**  
**AMANULLAH**

**ORAL JUDGMENT**

**Date : 12-06-2020**

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Rudra Deo, learned counsel for the petitioner and Ms. Asha Kumari, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Harnaut (Kalyan Bigha) PS Case No. 401 of 2019 dated 02.10.2019 instituted under Sections 302, 201/34 of the Indian Penal Code.



4. The allegation against the petitioner is complicity in the murder of an unknown person whose body was recovered near a petrol pump.

5. Learned counsel for the petitioner submitted that he is not named in the FIR and only on the confessional statement of co-accused Anjani Kumar @ Tinku, he has also been implicated in the present case. Learned counsel submitted that co-accused Anjani Kumar @ Tinku, has only stated about the complicity of the petitioner. However, it was submitted that on the basis of the statement of other co-accused and not the petitioner, firearm and cartridges were recovered. It was submitted that the reference in the impugned order of the Court below while rejecting the prayer for bail of the petitioner, that on his statement recovery was made, is factually incorrect and error of record. It was further submitted that the petitioner has no other criminal antecedent and is in custody since 20.10.2019.

6. Learned APP submitted that the petitioner was also involved in the crime as has come in the confessional statement of the co-accused.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.



25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in Harnaut (Kalyan Bigha) PS Case No. 401 of 2019 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

**(Ahsanuddin Amanullah, J.)**

P.Kumar/Anand Kr.

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