

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21624 of 2020

Arising Out of PS. Case No.-611 Year-2019 Thana- BIHTA District- Patna

VIKASH YADAV @ VIKASH KUMAR @ MUKESH KUMAR, age about 20 years, Gender-Male, Son of Shankar Yadav @ Shiv Shankar Yadav @ Shiv Shankar Prasad, Resident of Village - Parari, P.S.- Bihta, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Prashant Kumar, Advocate.

For the Opposite Party/s : Mr. Sanjeev Kumar Tiwari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of lifting of the lockdown in the State of Bihar.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 302, 201 and 120(B) of the I.P.C.

The prosecution story, in brief, is that the son of the



informant went to see *Yajana* and when he went to attend the call of nature, then saw that co-accused Sudhir Chaudhary @ Bilaiya is indulging in illegal activity with one unknown girl. Thereafter, his son disclosed this fact to some boys and after that on 23.06.2019, co-accused Sudhir Chaudhary @ Bilaiya given him threatening for dire consequences. Thereafter, Vikash Kumar (petitioner) has called his son for seeing *Yajana*, where co-accused Sudhir Chaudhary @ Bilaiya was also present there. When his son did not return, search was made and a dead body of his son was found in a field.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 04.02.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. It is a case of last seen. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner above named, is directed



to be released on bail on his personal bond to the satisfaction of
the learned A.C.J.M.-I, Danapur, in connection with Bihta P.S.
Case No. 611/2019.

Once the normalcy is restored, the petitioner shall
furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) with
two sureties of the like amount each within a period of four
weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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