

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22134 of 2020

Arising Out of PS. Case No.-79 Year-2020 Thana- KANKARBAG District- Patna

Virendra Kumar @VIRENDRA Ram Son of Sri Bihari Ram Resident of
Village - East Indira Nagar, Road No.1, Kankarbagh, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Pravin Kumar, Advocate

For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-10-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing.

The petitioner seeks bail in a case registered for the
offence punishable under sections 302/34 of the Indian Penal
Code and section 27 of the Arms Act.

Prosecution's case, in brief, is that on 29.1.2020 at
about 11.30 am informant got information that his son Shiv
Narain Ram is admitted in the PMCH and when he reached
there, he found him lying dead. On enquiry, friend of his
deceased son told him that the same day at about 10.30 am some
unknown persons fired at him near Janta Flat Block no. 18.

Learned counsel for the petitioner submits that the petitioner
is not named in the FIR and his name has come in the case on
the basis of confessional statement of co-accused as well as on
the information given by the spy to the police. There is no eye
witness of the incident. It is further submitted that in course of
the investigation the only material that has come against the
petitioner is that he had illicit relation with the wife of the
deceased. Save & except, no other material has come against the
petitioner. Similarly situated co-accused Shailendra Kumar



has already been allowed bail by a co-ordinate bench of this Court vide order dated 7.9.2020, passed in Cr.Mis.No. 21833/2020. Petitioner has got no criminal antecedent and he is in custody since 6.2.2020.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above 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 the Judicial Magistrate 1st class, Patna in Kankarbagh Police Station Case No. 79 of 2020, on the following conditions:-

(1) Petitioner shall co-operate 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/her absence on two consecutive dates without sufficient reason, his/her 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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