

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26745 of 2020

Arising Out of PS. Case No.-10 Year-2020 Thana- BRAHMPURA District- Muzaffarpur

Vipin Kumar @ Vivek Kumar Son of Ashok Kumar Resident of Village -
Mali Tola Deoriya, Police station - Deoriya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 14-10-2020 Heard both parties through video conferencing.

The petitioner seeks bail in Brahmpura P.S. Case No. 10 of 2020, registered for the offence under Sections 302, 394, 120(B), 34 of the Indian Penal Code and later on, Sections 414 and 411 of the Indian Penal Code were added.

As per the prosecution case, four miscreants had entered into the house of informant and committed the murder of father and mother of informant. It is further alleged that they (miscreants) also committed theft of mobiles, scooty and cash of Rs. 50,000/- (fifty thousand).

It is submitted on behalf of petitioner that petitioner is not named in the FIR. His name has come on the basis of confessional statement of co-accused Nitesh Patel, who said that petitioner had helped him in concealing the scooty. Save &



except confession, no incriminating article has been recovered from the possession of the petitioner. It is further submitted that in this case, chargesheet has already been submitted. The petitioner has got clean antecedent, as stated in paragraph – 3 of the petition and he is in custody since 20-02-2020.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed. Let the above-named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Brahmpura P.S. Case No. 10 of 2020 on the following conditions:

“(1) Petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his 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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