

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 51008 of 2019

Arising Out of PS. Case No.-572 Year-2018 Thana- BIKRAMGANJ District- Rohtas

Vikash Kumar Rai @ Vikash Kumar @ Vikash Kumar Yadav (Male) aged about 30 years, Son of Mithlesh Rai Resident of Village- Baruna, P.S.- Bikramganj, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh
For the Opposite Party/s : Mr.Anant Kumar l

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 26-02-2020 Heard learned counsel for the parties.

The petitioner apprehends his arrest in Bikramganj P.S. Case No. 572 of 2018 registered for the offence under Sections 302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per F.I.R., it is alleged that co-accused Akhilesh Rai has fired on the informant's younger brother, as a result of which, he succumbed to his injury. Allegation against the petitioner is that he alongwith other accused persons had surrounded the deceased.

It is submitted on behalf of petitioner that there is no allegation of any overt act against the petitioner. It is further submitted that similarly situated co-accused namely Vinay Kumar Yadav and Sonu Kumar Yadav have already been



granted anticipatory bail by this Court, vide order dated 23-10-2019 passed in Cr.Misc. No. 34871 of 2019. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances as well as nature of accusation, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned Additional Chief Judicial Magistrate, Bikramganj, Rohtas in connection with Bikramganj P.S. Case No. 572 of 2018 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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