

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49 of 2020

Arising Out of PS. Case No.-688 Year-2019 Thana- KOTWALI District- Patna

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VIKASH KUMAR @ VIKASH KUMAR SINGH @ VIKASH KUMAR
YADAV Son of Late Kailash Ray Resident of Village - Khagaul, P.S.-
Khagaul, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 23-01-2020

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 399, 402, 120(B), 400 and 414 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of Arms Act.

Allegation is recovery of one loaded pistol with one live cartridge from possession of the petitioner.

It has been submitted that petitioner has got no criminal antecedent and similarly situated co-accused persons have already been granted bail by this Court. Petitioner is in custody since 02.08.2019.

Considering the facts and circumstances of the case



and nature of allegation, I am not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby rejected.

However, **after six months in custody**, the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Kotwali P.S. Case No. 688 of 2019 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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