

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26117 of 2021

Arising Out of PS. Case No.-260 Year-2020 Thana- UJIYARPUR District- Samastipur

Vikram Kumar Giri Son Of Sujit Kumar Giri R/O Village- Madhodih, P.S.-
Ujiyarpur, Dist.- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Pramod Kumar Singh
For the State	:	Mr. S.M. Rahman A.P.P.
For the Informant	:	Mr. Mahendra Pratap

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 27-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Ujiyarpur P.S. Case No. 260 of 2020, registered for the offence under Sections 302, 120B, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the FIR named accused including three unknown miscreants shot at the brother of the informant, as a result of which, he died on the spot.

Petitioner is not named in the FIR. Name of the petitioner has come on the basis of confessional statement of co-accused Keshav Mishra, who has already been granted bail by this Court, vide order dated 15.04.2021 passed in Cr.Misc. No.



6458 of 2021. During course of investigation, only material, which has come against the petitioner, is that in the C.D.R. (call details record) of mobile number of the petitioner, it has come that petitioner was in regular touch with other criminals at the time of occurrence. Petitioner has got clean antecedent and he is in custody since 01.12.2020. Investigation is complete.

Learned counsel for the informant and State have opposed the bail petition and submitted that during course of investigation, it has come that petitioner was also involved in the murder of brother of the informant.

Considering the aforesaid facts & circumstances and the materials available on record, the bail petition of petitioner is allowed. Let the above named petitioner be released 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 S.D.J.M., Dalsingsarai, District - Samastipur in connection with Ujiyarpur P.S. Case No. 260 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 below and shall remain physically present, as directed by the court below, 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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