

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46971 of 2021

Arising Out of PS. Case No.-31 Year-2020 Thana- MAHILA P.S. District- Bhojpur

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1. Vikash Kumar S/o Shiv Murat Yadav @ Jay Yadav R/o Village- Esadhi, P.S.- Ayar, District- Ara, Bhojpur.
 2. Vivek Kumar S/o Ramdeo Sah R/o Village- Esadhi, P.S.- Ayar, District- Ara, Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 06-10-2021 Heard learned counsel for the parties.

Earlier, the bail petition of petitioners was rejected, vide order dated 02.03.2021 passed in Cr.Misc. No. 1106 of 2021.

It is submitted on behalf of the petitioner that subsequently, one of the co-accused Chandan Kumar, having similar and identical allegation, has already been granted bail by the Apex Court, vide order dated 13.07.2021 passed in Criminal Appeal No. 589 of 2021 / {out of SLP (Crl.) No. 341 of 2021}, considering the length of custody (Annexure 3 to the petition). This petitioner is also in custody since 04.04.2020 and thus, has remained in custody for one and half years.



Considering the aforesaid facts and circumstances as well as the fact that one similarly situated co-accused Chandan Kumar has already been granted bail by the Supreme Court, the bail petition of petitioners is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Ara, Bhojpur in connection with Mahila P.S. Case No. 31 of 2020, on the following conditions:

“(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the court below.

(2) If the petitioners tamper 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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