

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9555 of 2021

Arising Out of PS. Case No.-619 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

Krishna Mohan Kumar @ Rudal Rai Son of Late Raj Kumar Ray Resident of
Village - Harauli, Ismailpur, P.S.- Hajipur Sadar in the District of Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate

For the Opposite Party/s : Mrs. Asha Devi, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Hajipur Town P.S. Case No. 619 of 2017 registered for the offence under Sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, informant's father, who was posted as Kakshpal at Hajipur Jail, was going to attend his duty and on way, some unknown miscreants shot fire on him causing injury on his head, as a result of which, he died.

It is submitted on behalf of the petitioner that petitioner is not named in the F.I.R. Petitioner's name has figured during course of investigation in confessional statement. It has also surfaced in the investigation that he was seen roaming near the place of occurrence at the relevant time. Test Identification Parade has not been carried out till date. Chargesheet has also



been submitted and as such, there is no chance of tampering with the evidence against the petitioner. Petitioner is in custody since 28.1.2019. Similarly situated co-accused has already been allowed bail by this Court vide order dated 25.11.2019, passed in Cr.Misc.No. 69180/2019.

Considering the rival submissions of the parties, materials available on the record and the fact that no incriminating material has been collected against the petitioner during course of the investigation and he is in custody for more than two and a half year, let the petitioner, mentioned above, 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 the Additional Sessions Judge X, Vaishali at Hajipur in Sessions Trial No. 51 of 2020/ Hajipur Sadar Police Station Case No. 619 of 2017 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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