

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.2132 of 2021**

Arising Out of PS. Case No.-162 Year-2019 Thana- PIPRAKOTHI District- East Champaran

Vikal Kumar Singh @ Chhote Singh Son Of Srikant Singh R/O Village-
Kudiya (BANGARI), P.S.- Piprakothi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar, Advocate
For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 01-07-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Piprakothi P.S. Case No. 162/2019 registered for the offences punishable under Section 302, 379, 120(B), 394/34 of the Indian Penal Code read with Section 25(1-b)a/26/27/35 of the Arms Act.

As per prosecution story, while the informant got information that his son Sunil Kumar has been sought dead by the unknown criminals with fire arms near Kudiya Railway Gumti, he reached at Sadar Hospital Motihari and found his son dead and the dead body of the deceased was kept in post-mortem room. The informant alleged that due to previous enmity some unknown criminals have committed murder of his



son.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, petitioner is not named in the F.I.R. Learned counsel submits that during course of investigation the name of the petitioner has transpired in the confessional statement of the co-accused, however he is in custody since 21.08.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein the F.I.R. has been lodged against unknown and name of the petitioner is said to have transpired in the confessional statement of the co-accused and it has come in course of investigation that Vivek Singh has fired upon the deceased, the said Vivek Singh has been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 3386/2020, the co-accused Prince @ Chetan Singh has also been granted bail by learned coordinate Bench in Cr. Misc. No. 6449/2020, there being no dispute that the case of the petitioner stands on similar footing, he is in jail in connection with this case since 21.08.2020, investigation against him is complete but the trial is not likely to be concluded in near future, the three



cases in which the petitioner is said to be involved he is on bail, this Court directs release of the petitioner above-named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Piprakothi P.S. Case No. 162/2019 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of



bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

