

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6544 of 2021

Arising Out of PS. Case No.-809 Year-2019 Thana- HAJIPUR SADAR District- Vaishali

VIKKY KUMAR SINGH ALIAS VIKKY KUMAR SON OF RANDHIR
KUMAR SINGH @ RANDHIR SINGH R/O VILLAGE-LALPOKHAR
DIGHI, P.S.-SADAR HAJIPUR, DISTRICT-VAISHALI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 05-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 341, 323, 307/34 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, some named and some unknown persons, total 13 in number, came to the informant's house and took away his brother, Bablu Kumar, for attending a feast thereafter his brother did not return. After some time, the informant came to know that accused persons, including this petitioner, killed his brother and thrown him in a ditch. The victim was found alive and taken for medical attention whereafter he has stated the names of this petitioner and other accused persons, who have assaulted him. The specific



allegation of firing is against co-accused, Nanda Singh.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated due to caste rivalry. There is general and omnibus allegation of assault against this petitioner. From perusal of injury report it is evident that the doctor found five injuries out of which injury Nos. 1, 2, 3 and 5 are simple in nature and about injury No.4 opinion is kept reserved. Similarly situated accused, Santosh Kumar Singh and four others have already been granted anticipatory bail by a co-ordinate Bench of this court vide order dated 05.03.2021 passed in Cr. Misc. No. 27468/ 2020. Petitioner is in custody since 20.10.2020 and charge sheet has already been submitted.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar PS case No. 809/2019 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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