

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6548 of 2021

Arising Out of PS. Case No.-79 Year-2020 Thana- KANKARBAG District- Patna

Vikash Kumar @ Billa Son of Surendra Prasad Resident of Mohalla - Gandhi Chowk Surhi Tola, P.S.-Pirbahore, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni
For the Opposite Party/s : Mr.Ram Sewak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 08-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kankarbagh P.S. Case No. 79 of 2020, registered for the offence under Section 302 / 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the son of the informant was murdered by some unknown miscreants, while he was on his way to college.

Petitioner is not named in the FIR. Name of the petitioner has transpired during course of investigation in the confessional statement of co-accused Dhiraj. It is further submitted that there is no eye-witness to the occurrence and in the CCTV footage, petitioner has not been identified. Petitioner is in custody since 06.03.2020.



However, learned A.P.P. for the State opposed the bail petition and submitted that this petitioner alongwith co-accused Amarjeet Kumar @ Chhotu were seen in the CCTV footage. Co-accused Amarjeet Kumar @ Chhotu was driving the motorcycle and this petitioner, who was sitting as pillion rider, got off the motorcycle and fired on the deceased, while he was going to college, due to which, he died.

Considering the nature of accusation and the materials collected during course of investigation, I am not inclined to grant bail to the petitioner and same is, accordingly, rejected.

(Prabhat Kumar Singh, J.)

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