

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63089 of 2021

Arising Out of PS. Case No.-177 Year-2018 Thana- ROSHANGANJ District- Gaya

Vinay Kumar @ Binay Kumar @ Vinay Prasad, male-34 years, Son of Suresh Prasad @ Suresh Prasad Singh Resident of Village - Kubari, P.S.-Roshanganj, Distt.- Gaya.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bhavesh Kumar, Adv.
For the Opposite Party : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 22-12-2021 Heard learned counsel for petitioner and learned counsel for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in *Roshanganj* PS Case No. 177 of 2018, instituted for the offence under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that charges have been framed on 27.07.2021. The said submission is made keeping in background the fact that the second rejection of his prayer for bail was under order dated 17.2.2021 with an



observation that the petitioner may approach the Court after framing of charges. It is submitted that he has now remained in custody since 10.04.2019.

The learned APP representing the State has opposed the prayer for bail.

Considering the aforesaid developments and the observation of this Court in the order dated 17.02.2021 passed in Cr. Misc. no. 30496 of 2020, as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. 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 the learned Additional Sessions Judge XIII, Gaya or his successor in office, in connection with Sessions Trial No. 220 of 2021 arising out of *Roshanganj* PS Case No. 177 of 2018, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the



petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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