

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10121 of 2022

Arising Out of PS. Case No.-127 Year-2020 Thana- JALALPUR District- Saran

VIKESH KUMAR @ KUCHAI Son of Sukhdev Ram, Resident of Village -
Sareya Kardi Tola, Police Station - Baniyapur, District - Saran.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sarva Deo Singh, Adv.

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 22-06-2022 Heard counsel for the petitioner and the learned A.P.P.
for the State.

The petitioner seeks regular bail in connection with
Session Trial No. 428 of 2020 arising out of Jalalpur P.S. Case
No. 127 of 2020 lodged under Sections 302, 120B and 201 of the
Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. He further submits that
during investigation, there were three persons whose name were
figured in this case, namely, Vikesh Kumar (petitioner), Rahul
Kumar and Pappu Kumar. He further submits that the entire
F.I.R. is based on suspicion. He further submits that two
similarly situated accused persons have been granted bail by the
Co-ordinate Bench of this Court vide order dated 27.10.2021 in

Cr. Misc. No. 5406 of 2021. He further submits that charge sheet has been framed in this case and petitioner having no criminal antecedent.

Learned A.P.P. has opposed the prayer for bail.

After considering the facts and circumstances of the case that charge sheet has already been framed in this case and petitioner is in custody since 22.07.2020 and two similarly situated accused persons have been granted bail by the Co-ordinate Bench of this Court and with a view to maintain the parity, let the petitioner above named, be granted bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-XII, Saran in connection with S. Tr. No.428 of 2020 arising out of Jalalpur P.S. Case No. 127 of 2020, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the

court below for cancellation of the bail of the petitioner and the
learned court below will take decision in accordance with law.

Accordingly, the bail application stands disposed of.

(Dr. Anshuman, J)

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