

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53620 of 2021

Arising Out of PS. Case No.-128 Year-2021 Thana- HARSIDHI District- East Champaran

VIKASH KUMAR, Son of Late Mohan Yadav Resident of Village- Ray
Karariya, P.S.- Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Harsidhi P.S. Case No.128 of 2021, registered for the offence under Sections 328, 302, 34 of IPC.

Allegation against the petitioner is that he along with other accused persons killed the daughter of the informant and threw her dead body in bush.

Learned counsel for the petitioner submits that he has clean antecedent and has falsely been implicated in the present case only on the basis of suspicion. He further submits that no



eye-witness of the alleged occurrence and save and except suspicion nothing has come during investigation against the petitioner. The petitioner is in custody since 11.04.2021.

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

Considering the fact and circumstances of the case, 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 learned CJM, East Champaran, Motihari in connection with Harsidhi P.S.Case No.128 of 2021 with 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 absence on two consecutive dates without sufficient reason, his 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.

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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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