

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50908 of 2022

Arising Out of PS. Case No.-110 Year-2021 Thana- FATUA District- Patna

VIJAY KUMAR @ BIJAY KUMAR Son of late Krishn Gop @ Krishna
Yadav R/V- Khurubigha, P.S-Nagarnausa, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad,Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh,Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is an accused in connection with
Nagarnausa P.S. Case No. 20 of 2021 under Sections
302/34/120(B) of the Indian Penal Code and Section 27 of
Arms Act.

As per the F.I.R., the informant got information that
his father has been killed by unknown persons. Upon getting the
said information, he reached the hospital and saw the dead body
of his father. Accordingly, the F.I.R was lodged.

Subsequently, after investigation some accused
persons were arrested which included one, Dhanraj Kumar. He



was taken on remand where he confessed the name of the petitioner narrating that actually Dhanraj Kumar fired on the deceased whereas Pradum Kumar @ Shishupal Kumar was sitting on the back side of the motorcycle.

Learned counsel for the petitioner submits that his name has come up during the confession of Dhanraj Kumar which was made before the police and accordingly, he is in jail since 31.08.2021(as stated in paragraph-14 of the bail application). It is his further submission that the said Dhanraj Kumar, on whose confession he has been implicated, has since been released on bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 6470 of 2022 vide order dated 14.06.2022 and the same has been annexed as Annexure-2/3 of the bail application.

Considering the aforesaid facts that his name has come in the confessional statement of Dhanraj Kumar, who has since been released on bail, as stated above and charge sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., 1st Patna City in connection with Fatuha P.S. Case No. 110 of 2021,



subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall leave the district (Patna) for a period of one month(s) after providing name and address and police station of his place of stay during the said period and he shall be duty bound to visit the police station concerned (where he will stay) every week to mark his attendance;

(iv) upon return to his district, he shall visit the concerned police station every fortnight for the next six months to mark attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty



to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Jagdish/Neha/-

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