

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58421 of 2022

Arising Out of PS. Case No.-209 Year-2010 Thana- MALSALAMI District- Patna

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Bikki Kumar @ Vikky @ Vikash Kumar @ Vikash @ Vikky Prasad Gupta
S/O Umesh Kumar Gupta @ Umesh Prasad Gupta Resident of village-
Mirzapur Nohta, Tenant of Umesh Rai, P.S.- Fatua, District- Patna. Permanent
Address- R/o Dhandari, P.S.- Khurd District- Ludhiana, Punjab.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

2 21-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with
Malsalami P.S. Case No. 209 of 2010 registered for the offence
under Sections 302 and 34 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 26.08.2022.

As per the case of prosecution, some unidentified
miscreants shot dead son of informant.



Learned counsel appearing on behalf of the petitioner submitted that the name of petitioner surfaced on the basis of confessional statement of co-accused, namely, Rozin Ahmad, where in furtherance thereof, no incriminating material recovered, which may connect petitioner with present set of occurrence. It is further submitted that said co-accused Rozin Ahmad has already been granted bail by one of the learned Co-ordinate Bench of this Court through Cr. Misc. No. 16649 of 2011 vide order dated 18.07.2011. It is also submitted that this is not a case, where petitioner was absconder. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as save and except confessional statement, no incriminating material surfaced, which may connect the petitioner with present set of occurrence coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Malsalami P.S. Case No. 209 of 2010 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of learned A.C.J.M.-1st, Patna
City/concerned Court, subject to the conditions as mentioned
under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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