

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34176 of 2023

Arising Out of PS. Case No.-129 Year-2020 Thana- ARIYARI District- Sheikhpura

BAJRANGI VISHKARMA Son of Late Ajay Vishkarma Resident of Village -
Mor, P.S.- Mokama, District – Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-06-2023 Heard the parties.

The petitioner is in custody since 15.7.2022 in connection with Ariyari P.S. Case No. 129 of 2020 for the offence punishable under Sections 302, 21, 120(B)/34 of the I.P.C. lodged on 10.12.2020 by the informant Chandan Bishkarma.

The prosecution story, in brief, is that the petitioner and other co-accused persons under the conspiracy took away the father of the informant somewhere and co-accused Kundan Kumar Vishwakarma shot him dead and threw his dead body in a bush.

It has been submitted by the learned counsel for the petitioner that as per the allegation, the lady Manju Devi was in



relationship with Afzal Ansari which was resented by the deceased and Kundan Kumar Vishwakarma being an associate of Afzal Ansari had also attempted to kill his father who somehow saved himself.

It is his further submission that as per the allegation, on the fateful day, the lady along with the petitioner as also Afzal Ansari took away his father where Kundan Kumar Vishwakarma opened fire causing his death.

Learned counsel submits that the allegation against the petitioner is similar to that of Afzal Ansari of taking away his father and said Afzal Ansari has since been granted bail by a coordinate bench of this Court in Cr. Misc. No. 15703 of 2022 on 12.7.2022.

Let the same be kept on record.

Learned APP opposes the prayer stating that the allegation against him is of taking away the deceased along with Afzal Ansari and Manju Devi.

Considering the aforesaid submission put forward by the learned counsel for the petitioner as also the fact that he is in custody since 15.7.2022 (as stated in para-18 of the bail petition) and further that one co-accused Afzal Ansari has since been released on bail as stated above, this Court is inclined to



extend him the privilege of bail with conditions.

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 D.J., Sheikhpura, in connection with Ariyari P.S. Case No. 129 of 2020 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 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) 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 the bail bonds;

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



to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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