

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35575 of 2022

Arising Out of PS. Case No.-71 Year-2019 Thana- VAISHALI District- Vaishali

VIVEK KUMAR @ BIBEK KUMAR S/O GOVIND PRASAD SINGH @
GOBIND PRASAD SINGH RESIDENT OF VILLAGE-DAYALPUR TARA,
P.S.- RAJAPAKAR, DISTRICT- VAISHALI. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 302 and 394
of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the informant states that
he received information about unknown accused persons
shooting and killing his father who was carrying ornaments
from the shop to the house. The ornaments were stolen.

It is submitted by learned counsel for the petitioner
that the FIR was registered against unknown. From perusal of
the case diary as also the order of the learned trial Court
rejecting the prayer for bail of the petitioner it would transpire
that the prosecution is mainly relying on the confessional
statement of the petitioner made before police. The petitioner



was remanded in the instant case on 2.7.2021. No incriminating article has been recovered from the petitioner's possession. Charge sheet was submitted in the case without putting the petitioner on T.I. Parade.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of material that has transpired in course of investigation, the petitioner being in custody since 2.7.2021 and charge sheet having been submitted in the case without putting the petitioner on T.I. Parade, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no. 492 of 2021 (arising out of Vaishali P.S. Case no. 71 of 2019) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge I, Vaishali at Hajipur.

(Partha Sarthy, J)

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