

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48075 of 2022

Arising Out of PS. Case No.-620 Year-2021 Thana- JAHANABAD District- Jehanabad

Vicky Kumar S/o Dharmendra Sharma Resident of Village- Kispā, P.S.-
Alipur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Advocate
		Ms. Priyanka Singh, Advocate
For the Opposite Party/s :		Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

10 11-05-2023 Heard Mr. Y.C. Verma, learned senior counsel for the
petitioner and Mr. Uma Shankar Prasad Singh, learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
11.03.2022 in connection with Jehanabad P.S. Case No. 620 of
2021, F.I.R. dated 30.09.2021 for the offences punishable under
Sections 302, 201/34 of the Indian Penal Code.

According to prosecution case, the petitioner along
with Ram Ishwar Sharma and his son Suraj Sharma have
committed murder of the younger brother of the informant when



he was alone in the rented house.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis of suspicion. He further submits that there is no eye witness of the alleged occurrence and except the suspicion, no cogent material has come during investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 11.03.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad P.S. Case No. 620 of 2021, subject to 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.

3. 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 bonds 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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