

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45852 of 2024

Arising Out of PS. Case No.-307 Year-2023 Thana- CHAINPUR District- Kaimur (Bhabua)

Vikash Kumar Son of Lalan Yadav, R/o Village- Bisi Kala, P.S.- Dihara,
Distt.- Rohtas At Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-09-2024 Heard Mr. Babu Nandan Prasad, the learned
counsel for the petitioner and Mr. Anil Kumar, the learned
Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
29.12.2023, in connection with STR No. 56 of 2024, arising out
of Chainpur P.S. Case No. 307 of 2023, FIR dated 27.09.2023,
registered for the offences punishable under Sections 302 and
201 read with 34 of the Indian Penal Code.

3. According to the prosecution case, one dead body
of a lady was found lying in water of a chat besides Kewa-
Mundeshwari Canal near Baurai.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that petitioner
is not named in the FIR and name of petitioner transpired during



investigation on the basis of confessional statement of the co-accused person namely, Ramakant Paswan, who is also not named in the FIR. He lastly submits that except the aforesaid, not other cogent material has come during investigation which suggests that name of the petitioner in the present occurrence and the police after investigation has submitted the charge sheet against the petitioner and the petitioner is in custody since 29.12.2023.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent, he is not named in the FIR and his name transpired during investigation on the basis of confessional statement of the co-accused person, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-V, Kaimur, Bhabhua, in connection with **Chainpur P.S. Case No. 307 of 2023**, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). 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.

(iii). And further condition that the learned trial Court 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 learned trial Court 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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