

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54068 of 2024

Arising Out of PS. Case No.-37 Year-2022 Thana- BAHADURPUR District- Patna

Vivek Kumar Bibhakar @ Vivek Kumar Vibhakar S/O Indradev Kumar
Anand @ Indradeo Kumar Anand R/O Vill- Mogalpura, P.S- Laherisarai,
Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sameer Ranjan, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

- 3 25-09-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with
Bahadurpur P.S. Case No. 37 of 2022 registered for the offence
punishable under Sections 302, 307, 325 and 120(B) of the
Indian Penal Code.
3. Earlier the prayer for bail of the petitioner was
rejected vide Cr. Misc. No. 61268 of 2022 on 02.12.2023.
4. The petitioner is an accused of pushing two
children from the roof of the house due to which one child died.
5. Learned counsel for the petitioner submits that the
petitioner is innocent and has not committed the alleged act in
his sound mind. The petitioner is in custody since 04.02.2022.
All the private witnesses except the official witnesses have been
examined but the trial is not proceeding since April, 2024.
6. Documents have been annexed with the bail



application in support of the fact that the petitioner is suffering from mental ailment and he needs proper treatment which he is not getting because he is in judicial custody.

7. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

8. Considering the period of custody, the delay in trial and the mental ailment of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-IV, Patna City in connection with Bahadurpur P.S. Case No. 37 of 2022 subject to the condition that the petitioner shall co-operate in the trial. He shall be represented through his lawyer or he will appear personally in the trial court on the date fixed. In case, he is admitted in hospital for treatment, he shall appear virtually on the date fixed in the trial.

(Sandeep Kumar, J)

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