

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2408 of 2025

Arising Out of PS. Case No.-145 Year-2023 Thana- KARAI PARSURAI District- Nalanda

Vikash Bind Son of Mithlesh Bind Resident of Village - Veer, P.S. -
Dhanarua, District - Patna (Bihar) Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shri Prakash Tiwari, Adv

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

5 17-06-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Karari Pasurai P.S. Case No. 145 of 2023 registered for the offences punishable u/s 302 read with Section 34 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, the informant has alleged that three named persons including the petitioner and three unknown persons came to his house and called upon his son to accompany them. It is further alleged that the said persons along with his son had prepared meat and also took alcohol and thereafter it is alleged that the other co-accused person caught hold of the son of the informant and tied him to a tree and thereafter Vikash Bind (petitioner) fired upon the son of the informant due to which he died.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is no eye witness to the said occurrence. It is next submitted that neither in the FIR nor during the course of investigation any motive has come against the petitioner to have committed such crime. Learned counsel for the petitioner has drawn the attention of this Court towards the academic carrier of the petitioner which has been brought by way of Annexure-2 series. It is lastly submitted that the petitioner has one criminal antecedent and is in custody since 10.05.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that there is a specific allegation against the petitioner to have shot upon the son of the informant due to which he died.

6. Considering the aforesaid submissions of the parties and taking into account the fact that there is no eye witness to the said incident and it was merely on presumption the name of the petitioner has been shown to be the person who has fired upon the son of the informant and also considering the period of custody, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Court concerned, Nalanda, in connection with Karari Pasurai P.S. Case No. 145 of 2023, subject to the following conditions:-

(i) If it is found that the petitioner is trying to delay in the trial, the prosecution shall be at liberty to move for cancellation of his bail bond.

(ii) One of the bailors will be close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iv) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(v) The learned 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.

7. The application stands allowed.

(Sourendra Pandey, J)

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