

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34110 of 2020

Arising Out of PS. Case No.-147 Year-2015 Thana- BIDUPUR District- Vaishali

Vikash Kumar S/o Late Radhey Sharma R/o Vill - Panapur Dilawarpur, P.S. -
Bidupur, Dist - Vaishali at Hazipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Arun Kumar No. 1

For the Opposite Party : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 23-12-2020

Heard Mr. Arun Kumar No.1, learned counsel appearing on behalf of the petitioner and Mr. Humayou Ahmad Khan, learned Additional Public Prosecutor, for the State of Bihar.

This application for grant of regular bail arises out of Bidupur P.S. Case No.147 of 2015, registered for the offence punishable under Sections 363/366(1) of the Indian Penal Code.

Learned counsel appearing on behalf of the petitioner has submitted that in the First Information Report, the allegation was made against two persons, namely, Pankaj Rai and Pintu Kumar Rai, who have been allowed anticipatory bail by this Court. The petitioner's name surfaced nearly three months after the date of occurrence in the statement of the alleged victim, recorded under Section 164 of the Cr. P.C., though the alleged victim had returned only one day after the alleged date of



occurrence. He has submitted that the petitioner has remained in custody since 09.08.2020. He deserves to be released on bail as charge-sheet has already been submitted and there is no chance of tampering with evidence or his fleeing from the course of trial.

Considering the above noted submission and the materials on record, this application is allowed.

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 C.J.M., Vaishali at Hajipur, in Bidupur P.S. Case No.147 of 2015.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.

Since COVID-19 pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be



transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

Pawan/-

U		T	
---	--	---	--

