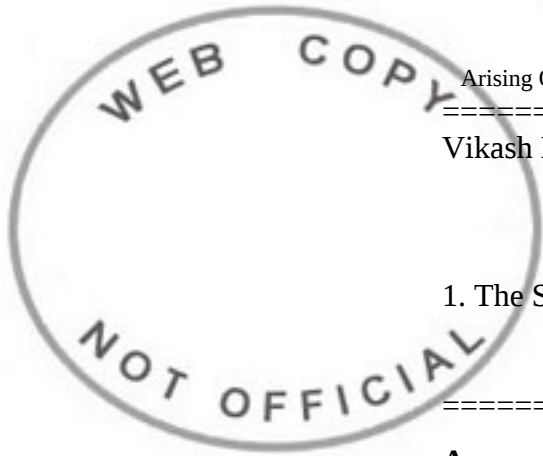




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23831 of 2016

Arising Out of PS.Case No. -9 Year- 2013 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

=====

Vikash Kumar Son of Vijay Singh

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. A.Dayal (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 26-05-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 385, 379, 307 and 504 of the Indian Penal Code.

Prosecution case is that on 20.01.2013 at 5 PM, the informant was sitting at his door when his son Raushan Kumar came and suggested that the petitioner and co-accused Bikram Kumar and Micky Kumar, surrounded him, abused, demanded Rs.10,000/- as extortion and gave threatening. In the meantime, the accused persons including the petitioner came to the door of the informant and started abusing the son of the informant. When



protest was made then co-accused Vijay Singh ordered to kill upon which the petitioner assaulted with knife to the son of the informant, which hit on his head. It is further alleged that co-accused Micky Kumar assaulted the son of the informant by means of butt of the pistol when other accused persons made assault by means of 'lathi', bricks.

It is submitted by learned counsel for the petitioner that on conclusion of investigation, the petitioner was not sent up for trial but differing with the final form, vide order dated 17.07.2014, the learned Magistrate took cognizance. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the accusation being not found true during investigation, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Vaishali at Hajipur, in connection with Rajapakar (Barati O.P.) P.S. Case No.9/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

However, the learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

Ashwini/-

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