

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40095 of 2016

Arising Out of PS.Case No. -467 Year- 2015 Thana -MANER District- PATNA

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Vikash Kumar, Son of Sri Santosh Singh, Resident of Village- Chhitnama ,
Police Station- Maner in the district of Patna, Presently residing in village
Nawahi, Police Station Naubatpur in the district of Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party : Mr. Sanjay Kumar Pandey (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 09-11-2016 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State.

The petitioner is in custody since 16.05.2016 in
connection with Maner P.S. Case No. 467 of 2015 registered for
the offences punishable under Sections 302 and 120B/34 of the
Indian Penal Code.

Case diary in the present case was called for, which has
since been received.

Learned counsel for the petitioner submits that though a
clear cut allegation has been made against the petitioner, there is
no eye-witness to the occurrence and it is only on account of the
fact that there was a family dispute that the name of the present
petitioner has been brought in connection with the present case.

Learned counsel for the petitioner further submits that since there is no eye- witness of the occurrence, the petitioner may be released on bail.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that it has come on record that the present petitioner along with his brother had been intimidating and threatening the deceased with regard to the partition of the property which they had not accepted. It is further submitted that even prior to the occurrence, the grand father (deceased) of the present petitioner had filed an informatory petition regarding the fact that this petitioner was intimidating and threatening him.

In view of such facts and circumstances of the case, I am not inclined to grant the petitioner on regular bail. It is, accordingly, rejected.

(Anjana Mishra, J.)

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