

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47001 of 2017

Arising Out of PS. Case No.-448 Year-2017 Thana- BIHTA District- Patna

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Dikesh Kumar @ Vikash Kumar, S/o Devendra Prasad Singh, R/o Village-
Tikaitpur, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan, Sr. Advocate

For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 04-10-2017

Heard learned Counsel for the petitioner and

learned Public Prosecutor.

The petitioner Dikesh Kumar @ Vikash Kumar has been arrested in connection with Bihta P.S. Case No.448/17 for the offences under Sections- 147, 148, 149, 323, 341, 386, 307, 504, 506, 379 and 447 of I.P.C. Petitioner is in custody since 29.7.2017.

From the record it is seen that the Trial Court had granted bail to other co-accused on 9.2.2017. However, on 11.9.2017 the bail petition No.714 of 2017 of the present applicant Shri Vikash Kumar @ Dikesh Kumar was rejected primarily on the ground that he has caused a head injury on the person of Nirwan Deo Yadav with a hammer. A perusal of the F.I.R. does not indicate any specific act attributed to the



applicant in the matter of causing injury with a hammer on the head of Nirwan Deo Yadav.

That being so, there is no reason why similar treatment, as has been granted to other co-accused, be not granted to the applicant.

Keeping in view the nature of allegations and the fact that he has been in custody since 29.7.2017, petitioner above named is directed to be released on bail on furnishing the bail-bond of Rs.10,000/- (ten thousand) along with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur in connection with Bihta P.S. Case No.448/17.

(Rajendra Menon, CJ)

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