

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56678 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -JALALPUR District- SARAN

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Vikash Kumar @ Vikash Prasad S/o Aawdesb Prasad, R/o Village-
Mishrawalia, P.o.- Jalalpur, P.S.- Jalalpur, District- Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 12-01-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with Sessions Trial No. 609 of 2017, arising out of Jalalpur P.S. Case No. 46 of 2017 dated 21.03.2017 instituted for the offences under Sections 302, 201, 34 of the Indian Penal Code.

The informant, who is the father of the deceased has alleged that on 21.03.2017, when his son (deceased) was watering his field, the petitioner and three others came and took him to some place for making available gas cylinder to him. Later, the informant learnt that his son has drowned in the pond of the village. The dead body of the deceased was taken out from the pond and it appeared to the informant that perhaps he has been killed and thereafter drowned in the pond. Thus, he suspected the hands of the petitioner and others who had accompanied the



deceased towards some place for getting gas cylinder.

Learned counsel for the petitioner has submitted that but for the aforesaid suspicion of the informant, there is no other material to connect the petitioner with the crime. Merely because the petitioner and three others had met the deceased prior to his death, that by itself would not be sufficient to justify the incarceration of the petitioner. One of the named accused persons viz. Robins Kumar has been granted bail by the Court below on the direction of the Hon'ble High Court.

The petitioner is in custody since 09.08.2017 and the charges in this case have already been framed. Regard being had to the aforesaid facts, this Court is inclined to grant bail to the petitioner.

The petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Saran at Chapra in connection with Sessions Trial No. 609 of 2017, arising out of Jalalpur P.S. Case No. 46 of 2017.

(Ashutosh Kumar, J)

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