

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14633 of 2019

Arising Out of PS. Case No.-387 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

RAVI KUMAR, aged about 20 years, Male, Son of Kapildeo Ram, Resident of Village-Hathwa Dakhin Tola, P.S.- Hathuwa, District- Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Arbind Kumar Singh, Advocate.
For the Opposite Party : Mr.Usha Kumari 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-07-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 13.07.2018 in a case for the offence registered under Sections 302, 120(B) of the IPC and 3(2) (Va) of SC/ST Act.

The prosecution story, in brief, is that on 06.07.2018 at about 8.00 P.M., the informant's cousin, namely, Vikash Kumar went to attend a wedding party in the house of one co-villager, Sachidanand Chaudhary but he did not return till 2.00 P.M. Thereafter, all family members of the informant became worried and started calling him but his phone was switched off. On the next day, he came to know through a villager that the dead body of Vikash Kumar was lying in the open field which was in the direction of west from the house of informant, then



he alongwith others went there and saw the dead body of Vikash Kumar and there were many injuries upon his face, neck, back and stomach which was done by sharp weapons and the informant claimed that his cousin was killed by unknown criminals.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case has already been committed to the court of sessions. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. Neither there is eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the implication of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Additional District and Sessions Judge, Siwan, in connection with Siwan (M) P.S. Case No. 387/2018/STR No. 640/2018.

(Sudhir Singh, J)

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