

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21188 of 2019

Arising Out of PS. Case No.-335 Year-2018 Thana- NAUBATPUR District- Patna

VIKASH KUMAR @ KHESHARI, Son of Yogendra Sharma @ Yogendra Singh @ Yogi Singh, Resident of village Manjhauli, P.S. Phulwarisharif, Dist. Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-06-2019 Petitioner seeks bail in anticipation of his arrest in connection with Naubatpur P.S. Case No. 335 of 2018 registered for the offences punishable under Sections 341, 323, 354/34 of the Indian Penal Code and Section 302/34 IPC was later on added.

Allegation as per FIR is of assaulting the mother and son of the informant due to kidnapping of son of the informant. Further it appears that FIR has been lodged under Sections 341, 323, 354 IPC but later on on protest petition on the death of mother of informant Section 302 IPC has been added.

Submission of learned counsel for the petitioner is that there is no specific case of assault to the mother of the informant in the FIR by the accused persons and in protest petition there is no allegation of assault on the head of mother of informant and post mortem report shows that she died due to head injury and she was



aged 99 years and earlier a case has been lodged by Bhabhi of the petitioner against the informant and others and due to that the present case has been filed and as a matter of fact mother of informant fell down and received injury on the head and due to that she died.

Heard learned APP also.

In view of above facts and circumstances, let petitioner, in the event of arrest or surrender before the court below within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Danapur, in connection with Naubatpur P.S. Case No. 335 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

spal/-

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

