

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11819 of 2019

Arising Out of PS. Case No.-461 Year-2018 Thana- AMARPUR District- Banka

VIKRAM KUMAR DAS, aged about 19 years, Son of Ramdeo Das, Resident of Village - Jhajha, P.S.- Banka, Distt.- Banka.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Subodh Chandra Jha, Advocate.
For the Opposite Party : Mr.Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-05-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 05.09.2018 in a case for the offence registered under Sections 302/34 of the IPC and 3/4 of Explosive Substance Act.

The prosecution story, in brief, is that on 30.08.2018 at about 7.00 P.M. in the evening, the son of the informant, namely, Abhinandan Barnwal @ Sonu Barnwal was running grocery shop in his house. The informant heard sound of Bomb from the side of shop. He went outside the shop and saw that his son has fallen down on the ground. He also saw that five miscreants covering their heads with Helmet were fleeing away on two Motorcycles. He brought his son for treatment at Sadar Hospital, Banka, where he died during the course of treatment.



It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come on the basis of confessional statement of co-accused. There is no recovery of any incriminating article from possession of the petitioner. There is no eye witness to the alleged occurrence.

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 C.J.M. Banka, in connection with Amarpur (Fullidumar) P.S. Case No. 461 of 2018.

(Sudhir Singh, J)

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