

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15787 of 2019

Arising Out of PS. Case No.-891 Year-2018 Thana- BHABHUA District- Kaimur (Bhabua) *

VIKRANT KUMAR @ Vikant kumar Son of Kailash Chouhan Resident of
Village- Akhleshpur Marhai, P.S.- Bhabua, District- Kaimur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar Seth
For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
01.11.2019 in a case registered for the offences punishable
under Sections 147, 341, 323 and 307 of the Indian Penal
Code.

The prosecution case got initiated on the basis of
written report of Sonu Kumar Yadav submitted to the Station
House Officer, Bhabhua Police Station is to the effect that on
31.12.2018 at 8.15 P.M., when the brother of the informant
namely Subodh Kumar was going to bring the fuel for his
motorcycle, on the way, some miscreants on two Bolero
vehicles, one of which was driven by co-accused Manish
Kumar and other one was being driven by co-accused Vikrant



Kumar, the petitioner, followed his motorcycle and managed to get his motorcycle stopped, thereafter, 3-4 unknown accused persons after getting down from the vehicle, assaulted the brother of the informant by an iron rod and escaped from the scene.

It is submitted by learned counsel for the petitioner that from the FIR itself it appears that the petitioner is not the assailant and similarly situated co-accused, Manish Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 01.03.2019, passed in Criminal Miscellaneous No. 12657 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner is named in the FIR with specific accusation ad the brother of the informant has received grievous injury.

Considering the fact that the accusation of assault to the brother of the informant has not been levelled against the petitioner, rather it has been levelled against other accused persons, whose names have not been disclosed, co-accused person has already been granted bail by a Co-ordinate Bench of this Court, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned CJM, Bhabhua
(Kaimur) in connection with Bhabua P.S. Case No. 891 of
2018.

(Dinesh Kumar Singh, J)

Ashwini/-

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