

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14507 of 2019

Arising Out of PS. Case No.-802 Year-2018 Thana- AHYAPUR District- Muzaffarpur

VIKASH KUMAR @ CHHOTU KUMAR (Male), aged about 21 years, Son of Jitendra Jha @ Khakhoran Jha, Resident of Mohalla- Jagdamba Nagar near Bus Stand, Bairiya, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sarvan Kumar, Advocate.

For the Opposite Party : Mr.Jitendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 10-05-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 24.09.2018 in a case for the offence registered under Sections 147, 148, 149, 323, 302 and 342 of the IPC.

The prosecution story, in brief, is that on 28.07.2018 at 6.00 O'clock, in the morning Manjeet Kumar, Chhotu Kumar, Nanhaka Kumar, Dhiraj Kumar, Saurabh Kumar @ Raja Kumar allongwith 15-20 boys came at the house of the informant and took his brother Arjun Kumar alleging theft of Mobile to the newly constructed five house of Chhotu Kumar and began to assault and when Bittu Sahni went to his rescue he too was assaulted by them and became injured and at 13 hours, ousted them out from the house like dead, out of whom Arjun Sahni died on spot and injured Bittu Sahni sent to Hospital for treatment.



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. General and omnibus allegation has been alleged against the petitioner. No specific allegation is attributed against the petitioner. Other co-accused has been granted bail by another Co-ordinate Bench of the Court vide Cr. Misc. No. 127 of 2019 order dated 07.02.2019.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is 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., Muzaffarpur, in connection with Ahiyapur P.S. Case No. 802 of 2018.

(Sudhir Singh, J)

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