

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76408 of 2019

Arising Out of PS. Case No.-208 Year-2019 Thana- GHORASAHAN District- East
Champaran

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VIKES KUMAR @ VIVEK KUMAR Son of Chandradeo Prasad Yadav @
Chandradeo Prasad Resident of Village-Bankatwa, P.S-Jitna, District-East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Rita Verma

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 341, 323,
324, 307, 380, 447, 506, 504, 34 of the Indian Penal Code and
Section 27 of the Arms Act.

Prosecution case as lodged by the informant is that on
03.06.2017 when he was sitting at his door, in the meantime,
petitioner along with co-accused holding weapons in their hands
came and all of sudden with a view to commit murder, accused
Prince Kumar gave knife blow on the chest of the informant
repeatedly and when the informant tried to save himself he
received injury on finger of his hand also. After sustaining



injury the informant became unconscious and fell down. When the informant's son Robin Kumar came in rescue, accused Subodh Kumar assaulted him by knife, due to which he received injury on his back and hand. Rest accused persons assaulted them by fist and slaps. Accused persons entered in the house of the informant and committed theft of cash amount Rs. 50,000/- and snatched gold chain from the neck of the informant's son.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. It is submitted that there is counter case vide Ghorasahan (Lakhaura) P.S. Case No. 230 of 2019 lodged by co-accused Subodh Kumar against the informant and others. He submits that the petitioner has assaulted the informant and his son only by means of leg and slap. He further submits that petitioner bears no criminal antecedent as stated in para-3 of the bail petition.

In the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the



learned Sub-Divisional Judicial Magistrate, Sikrahana at Dhaka,
East Champaran in connection with Ghorasahan (Lakhaura)
Police Station Case No. 208 of 2019, subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Anjani Kumar Sharan, J)

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