

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13133 of 2020

Arising Out of PS. Case No.-439 Year-2019 Thana- MADHEPURA District- Madhepura

ANUJ KUMAR S/o Shailendra Prasad Yadav Resident of Village- Jaipalpatti,
Ward No.26, P.S. and Distt- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma

For the Opposite Party/s : Mr.Ram Anurag Singh

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 01-09-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with
Madhepura P.S. Case No. 439 of 2019, registered under
Section 302 of the Indian Penal Code.

The accusation is that in the evening of
15.05.2019, Sunil Kumar, aged about 21 years, brother-in-law
of informant Ranjan Kumar moved from the house of
informant, at about 7.00 P.M., informant talked to him on
mobile, who informed that he is coming very soon. In the
meantime, at 7.50 P.M. he received information through
mobile no. 9570839594 that a boy has met with accident then
he went near A.D.B. Bank and saw that his brother-in-law is
lying in injured condition inside the road. In the meantime,



Police also came there and his brother-in-law was rushed to Sadar hospital for treatment, where he was declared dead. The informant claimed that his brother-in-law had sustained knife injury at his chest.

Learned counsel appearing for the petitioner submits that petitioner is not named in the F.I.R. Due to dirty village politics, the petitioner and his nephew Manish Kumar, who are co-villagers of the informant, have falsely been implicated in this case. As in course of investigation co-villager Vikash Kumar gave his statement, as detailed in paragraph No.17 of the case diary, to the effect that in the evening of 15.05.2019, he was present at his shop, where petitioner and his nephew Tutu @ Manish Kumar reached boarding on motorcycle and after short interval, Sunil Kumar (deceased) also reached there and co-villager Vikash Kumar moved from there with Sunil Kumar. After short interval, Anuj Kumar (Petitioner) and his nephew Manish also proceeded from there boarding on motorcycle and both returned after 15-20 minutes near his shop with key of motorcycle in which knife was attached on which blood spot was seen and both claimed that they have given knife blow to Sunil Kumar. After short interval Vikash Kumar also came there then both started



scuffling with Vikash Kumar, but on intervention, the matter was pacified. Thereafter, Anuj Kumar and his nephew Manish Kumar moved from there. Further submission is that from the statement of Vikash Kumar, it is clear that he was not present at the place of occurrence. Further submission is that petitioner has no criminal antecedent and he is in custody since 16.10.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on 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 Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 439 of 2019.

(Rajendra Kumar Mishra, J)

manish/-

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

