

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17538 of 2020

Arising Out of PS. Case No.-179 Year-2011 Thana- PATNA RAIL P.S. District- Patna

VIJAY KUMAR Son of Laxman Rai Resident of Village - Basdeopur, P.S. -
Bajpatti, District - Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Saroj Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 06-12-2021 Learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as the learned APP for the State.

Learned counsel for the petitioner submits that the petitioner apprehends his arrest in connection with Rail P.S. Case No. 179 of 2011 for alleged offences registered under Section 302, 201, 34 of the IPC in which cognizance has been taken under Section 384, 306 IPC.

Learned counsel for the petitioner has submitted that initially the case was lodged under Section 302, 201, 34 of the IPC but during the investigation it was found a case of suicide as such the charge sheet was submitted under Section 384/306



of the IPC and learned Magistrate has taken cognizance on 17.12.2015 only under Section 384 and 306 of the IPC. He has further submitted that other co-accused Rakesh Kumar has been granted anticipatory bail by this Court in Cr. Misc. No. 32236 of 2015 vide order dated 3.11.2015.

Considering the aforementioned facts and circumstances, let the petitioner be released on bail in the event of his arrest or surrender within four weeks before the learned court below on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Magistrate, Patna in connection with Rail P.S. Case No. 179 of 2011, subject to the conditions as laid down under Section 438(2) Cr.P.C., after verifying the averrment that cognizance has been taken under Section 384 and 306 IPC.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey , J)

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