

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34731 of 2020

Arising Out of PS. Case No.-161 Year-2019 Thana- PARSA District- Saran

VIKASH KUMAR @ VED PRAKASH YADAV @ VED PRAKASH PRASAD, Male, aged about 19 years, Son of Bisheshwar Ray @ Bisheshwar Prasad Yadav, Resident of Village - Fatehpur, P.S. - Parsa, District - Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Alka, Advocate.

For the Opposite Party : Mr. Pawan Kumar Chaurasia, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-01-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 302 and 120(B) of the I.P.C.

The prosecution story, in brief, is that on 23.05.2019 at about 9.30 P.M., Roshan Kumar, the son of the informant, left his house with his friend Guddu Kumar on Motorcycle to go to the village Anjani to attend a function and at about 11.00 P.M., his friend Guddu informed on telephone that the co-accused Kavita Kumari, friend of Roshan Kumar, called him, upon



which, both of them went to the village-Fatehpur at 10.00 P.M. to meet Kavita Kumari where Roshan was caught by the F.I.R. named accused persons including the petitioner and locked him in a room after assaulting him and Guddu anyhow managed to escape from there. Thereafter, the informant started searching his son Roshan and went to the village-Fatehpur where he met the accused persons who told him that Roshan fled away from there and threatened the informant to go away from here otherwise, they could implicate him in some concocted case. The informant back home and on the next morning at about 5.00 A.M., he got information that the dead body of Roshan was lying in *Badhar* upon which, he went there where he found the dead body of his son having mark of injuries on his lips mouth face head and neck.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 20.12.2019. 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. The name of the petitioner has come in the present case merely on the basis of suspicion. Except for this, there is no other



substantive evidence to suggest the implication of the petitioner in the present case. Neither there is eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the participation of the petitioner in the alleged occurrence.

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 of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Saran, Chapra, in connection with Parsa P.S. Case No. 161/2019.

(Sudhir Singh, J)

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