

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32378 of 2020

Arising Out of PS. Case No.-140 Year-2020 Thana- BASANTPUR District- Siwan

Vivek Kumar, Son of Raj Kumar @ Raj Kumar Gupta Resident of Village-
Sipah Tola, Police Station-Basantpur, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 08-02-2021 Heard Mr. Ashok Kumar, learned counsel for

the petitioner and Mr. Ashok Kumar Singh, learned APP

for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Basantpur P. S. Case No. 140
of 2020 dated 06.04.2020, instituted for the offences
under Sections 147, 148, 149, 341, 323, 324, 307,
337, 338, 188, 269, 270, 271, 504 and 506 of the
Indian Penal Code and Sections 51(b) of the NDMA,
2005.

The accusation in the F.I.R. is that several
persons (39 named and 40-45 unnamed) assaulted the



informant and his friend which led to injuries on the informant and death of one Md. Rafique Alam.

The learned counsel for the petitioner has submitted that there is general and omnibus allegation against all the accused persons and nothing specific has been attributed against the petitioner.

It has further been submitted that the case initially was instituted under Section 307 of the Indian Penal Code but with the death of one Md. Rafiq Alam, Section 302 IPC has been added.

The petitioner is stated to be a college going student and some of the other accused persons of this case have been granted anticipatory bail.

Considering the afore-stated facts and the vague nature of allegation against the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the



sum of Rs. 10,000 /- (Ten Thousand) with two sureties
of the like amount each to the satisfaction of the learned
Judicial Magistrate, 1st Class, Siwan, in connection with
Basantpur P. S. Case No. 140 of 2020, subject to the
conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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