

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37691 of 2020

Arising Out of PS. Case No.-69 Year-2020 Thana- NAUBATPUR District- Patna

Vivek Kumar S/o Lavkush Sharma @ Munnu Singh R/o Village- Narayanpur,
P.S.- Bikram, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-03-2021

Heard both sides.

The petitioner seeks bail in Naubatpur P.S. Case No.69 of 2020 registered under Sections 341, 323, 324, 307, 386, 387, 504 and 34 of the Indian Penal Code.

The informant, Rahul Kumar, cleaner of the vehicle along with Ramesh Kumar, the driver of the vehicle alleged that they were carrying sand on their vehicle but four miscreants came and started demanding extortion. On protest, the accused persons abused the informant and the driver of the vehicle. Three persons caught hold the driver of the vehicle and fourth person gave knife blow on the abdomen of the driver of the vehicle. One person was caught and three others managed to flee away. The apprehended accused disclosed his name as Ajay Sao. Ajay Sao disclosed the name of Vivek Kumar(the petitioner), Rajesh Kumar and Aditya Kumar.

The learned counsel for the petitioner submits that petitioner was not apprehended on the spot but Ajay Sao was apprehended and he is said to have disclosed the name of the



petitioner and other two accused persons. The petitioner is in jail since 06.02.2020. The case diary and the injury report were called for. The doctor found one stitched wound over left lateral region of abdomen. The opinion was reserved and patient was referred to P.M.C.H. for further investigation and treatment but the investigating officer did not collect the final injury report. It is further submitted that chargesheet is submitted without the final injury report.

Learned A.P.P. however opposed the prayer for bail.

It appears that Ajay Sao is said to have disclosed the name of the petitioner as the person who stabbed the driver of the vehicle but the final injury report is not on record. The petitioner is in jail for more than 13 months

Taking into consideration the facts aforesaid, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. II, Danapur, Patna in connection with Naubatpur P.S. Case No.69 of 2020.

(Prabhat Kumar Jha, J)

Saurabh/-

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