

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4106 of 2021**

Arising Out of PS. Case No.-139 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

VICKY @ SHAHBAJ SON OF LATE MAHMAD CHAND RESIDENT OF
VILL- MARWARI MOHALLA, P.S.- GOPALGANJ, DISTRICT-
GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ashish Giri
For the Informant	:	Mr. Umesh Kumar Singh
For the Opposite Party/s	:	Mr.A.G.

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 18-03-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Gopalganj P.S. Case No.
139 of 2020, registered for the offence punishable under
Sections 302, 34 of the Indian Penal Code.

As per the prosecution case, this petitioner is alleged
to have given repeated knife blow on the back of deceased.

It is submitted on behalf of the petitioner that in fact,
petitioner and his family lent some money to the informant for
purchasing land in the village and the informant did not want to
return money and due to which, the petitioner has been falsely
implicated. The occurrence is said to have taken place outside



the hospital, but no witness has come to support the same. There is no evidence direct or circumstantial against this petitioner which shows his complicity in the aforesaid crime. Petitioner is a young boy aged about 22 years and the sole earning member of the family and he is in custody since 08.03.2020 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that petitioner is one of the assailants and there is specific allegation of giving repeated knife blow on the back of deceased causing his death.

Considering the facts aforesaid, nature and gravity of offence, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

vinita/-

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

