

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.112 of 2021**

Arising Out of PS. Case No.-157 Year-2020 Thana- SAKRA District- Muzaffarpur

=====

VICKY KUMAR SON OF NAND KISHORE RAI RESIDENT OF  
VILLAGE - SHIV NAGAR, P.S. - TEPRI, DISTRICT - MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

For the Opposite Party/s : Ms.Veena Rani Prasad, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
ORAL ORDER

4      27-07-2021                      Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

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

Petitioner in the present case is seeking regular bail in connection with Sakra P.S. Case No.157/2020 registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that as per the prosecution story the son of the informant was running a small shop of chocolate-biscuit in front of the college gate. He closed his shop at about 8.00 pm and left for his house but did

not reach his home. In the next morning at about 10.00 am the dead body of the son of the informant was found in the field. The informant claimed that he had no enmity with any one but he had come to know from the local villagers that in the neighbouring vegetable shop some miscreants were assembling and on some dispute his son has been killed.

Learned counsel submits that the petitioner is neighbouring shop owner who has his shop besides the shop of the son of the informant. He has been brought in this case on mere suspicion.

On the other hand, learned APP for the State has opposed the prayer for regular bail of the petitioner. She has with the able assistance of her junior Mr. Vishal Saurabh read out the materials collected in course of investigation. The statements of the independent witnesses namely Shakuntala Devi and Pinki Devi have been read out by learned assisting counsel. These two witnesses have stated that they had seen the petitioner on the alleged night. Pinki Devi has specifically identified the present petitioner. The postmortem report as contained in paragraph '44' shows that the son of the informant was killed by strangulating him.

Considering the facts and circumstances of the case,

the seriousness of the offence alleged and the materials which have come against this petitioner in form of the statement of the independent witnesses and the statement of the witnesses that they had seen the petitioner with Gamcha, this Court is not inclined to release the petitioner on bail at this stage.

Let the trial be expedited. All endeavours be made to conclude the trial within a period of one year from the date of start of normal functioning of the court. If the trial remains unconcluded for no reason attributable to the petitioner, he may renew his prayer for bail.

**(Rajeev Ranjan Prasad, J)**

arvind/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.