

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2511 of 2021

Arising Out of PS. Case No.-177 Year-2020 Thana- RAFIGANJ District- Aurangabad

VIPUL KUMAR @ VIPUL CHOURASIA S/o Vijay Chaurasiya @ Bijay Chaurasiya Resident of Village - Babuganj, Hospital Road, P.S. - Rafiganj, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code.

The informant is the father of the petitioner. Petitioner in association of one Anu is said to have tied the hand legs of his brother Ajay Chaurasia while he was making noise in



the drunken condition and in the next morning he found the neck of Ajay Chaurasia cut and lying dead.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case merely on suspicion. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The F.I.R. was lodged against unknown by father of the petitioner as the deceased was uncle of the petitioner. The name of the petitioner has been incorporated in this case merely on the basis of secret information and all of a sudden he was arrested. The petitioner has no criminal antecedent and has been languishing in custody since 14.08.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after framing of charge**, and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount



each to the satisfaction of the learned Court below where the case is pending in connection with Rafiganj P.S. Case No.177 of 2020.

(Anjani Kumar Sharan, J)

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