

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31127 of 2022

Arising Out of PS. Case No.-215 Year-2016 Thana- SAHEBGANJ District- Muzaffarpur

Vikash Kumar @ Vikash Giri S/o Narayan Giri @ Sri Narayan Giri Resident
of Village-Meghawar, P.S.-Jamo Bazar, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 29-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Sahebganj P.S. Case No. 215 of 2016, lodged under Sections
394/302 of the Indian Penal Code.

As per the prosecution case, the allegation of robbery
with murder is there in the present case. Informant's brother has
been brutally assaulted, while he was returning from *Jeevika*,
where he used to work and informant's brother ultimately
succumbed to death in course of treatment.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He also

submits that antecedent of the petitioner is clean and there is nobody named in the F.I.R. but during investigation it has come that, the deceased and one female co-worker having some relationship, which has been emerged in investigation that the petitioner and one co-accused Chandan Kumar Paswan, were hostile to such relationship and in furtherance of common intention, they have killed the informant's brother. Learned counsel further submits that the said co-accused Chandan Kumar Paswan has already been granted bail by the Co-ordinate Bench of this Court vide order dated 14.12.2021 in Cr. Misc. No. 37868 of 2021. He also submits that petitioner is in custody since 23.02.2022 and charge-sheet has already been filed in this case.

Upon specific query that whether charge has been framed or not, learned counsel submits that as per his knowledge, charge has not been framed.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to

the satisfaction of learned 2nd Additional Sessions Judge, Muzaffarpur in connection with Sahebganj P.S. Case No. 215 of 2016, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

The condition is hereby laid down that the petitioner will physically appear, each and every day and in case of violation of this condition, his bail bond shall be cancelled.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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