

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45741 of 2021

Arising Out of PS. Case No.-171 Year-2021 Thana- DARBHANGA SADAR District-
Darbhanga

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VIKASH LAL DEO Son of Praveer Lal Deo Resident of Village- Panta, P.S.-
Sadar (sonki O.P.), District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Sanjay Kumar Singh
For the Opposite Party/s :	Mr. Vinay Kumar Mishra
	Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 21-03-2022 Heard learned counsel appearing on behalf of the

petitioner, learned counsel appearing on behalf of the informant

and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 18.06.2021, seeks
regular bail in connection with Darbhanga Sadar P.S. Case No.
171 of 2021 dated 19.04.2021 registered for offences punishable
under Sections 341, 324 and 307/34 of the Indian Penal Code.

Prosecution story in brief is that on 13.04.2021 at
about 9:00 p.m., when the informant along with his cousin
namely, Pramod Lal Deo was returning to his home from Sonki,
all the accused persons including the petitioner had attacked



him near house of one Manohar Thakur. Accused Manoj Lal Deo caught his hand and accused Bablu Lal Deo hurled knife blow on his neck which he warded off with his hand causing injury in his right hand. In the meantime, co-accused Ranjit Lal Deo stabbed knife in his abdomen causing serious injury and he fell down. After some time, when he regained his senses, he found himself in DMCH. It is further alleged that on 10.04.2021, the accused persons had assaulted the uncle of the informant Kishori Lal Deo and his family members for which Sadar P.S. Case 169 of 2021 was lodged.

Learned counsel appearing on behalf of the petitioner submits that assault has been committed by one co-accused namely, Babloo Lal Deo which has caused injury in the stomach of the informant and in course of treatment he had died. Petitioner is only a member of the mob and there is no specific allegation of assault against him. Petitioner is in custody since 18.06.2021.

Learned counsel appearing on behalf of the informant along with learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case, nature of allegation made in the F.I.R. against the petitioner that



he was one of the members of the mob, there is no direct allegation of assault against three co-accused persons named in the F.I.R. namely, Manoj Lal Deo, Bablu Lal Deo and Ranjit Lal Deo and specific statement has made in paragraph no. 14 of the bail application that in view of the enmity between the parties since long, the petitioner has been dragged in this case with ulterior motive, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Sadar P.S. Case No. 171 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall



take steps to cancel his bail bond.

(Purnendu Singh, J)

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