

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51219 of 2022

Arising Out of PS. Case No.-143 Year-2021 Thana- ALAMNAGAR District- Madhepura

1. VIKASH KUMAR @ PALLO SINGH @ VIKASH KUMAR SINGH S/o Dhaneshwar Singh Resident of Village- Khoparia, P.S.- Chausa, District- Madhepura.
2. Rakesh Kumar S/o Ganauri Singh Resident of Village- Khoparia, P.S.- Chausa, District- Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-12-2022 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 364 read with 34 of the Indian Penal Code.

As per the prosecution case, the informant borrowed a glamour motorcycle from his co-villager and gave it to his son for taking curd to his *nanihal* at village Kadwa. But the informant's son did not reach there. Later on, the informant later



came to know that the petitioners and the co-accused persons knocked down his son Nashib Singh by their tractor and hid him and the motorcycle somewhere in order to conceal the evidence. The informant has further alleged that the accused persons killed his son and disappeared the body.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the possession of the petitioners. There is general and omnibus allegation against the petitioners and the petitioners have been arrested on mere suspicion. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioner No. 1 is in custody since 16.05.2022 and petitioner No. 2 is in custody since 19.05.2022.

Learned A.P.P. for the State has opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances as well as the period of detention, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhepura in connection with Alamnagar P.S. Case



No. 143 of 2021, with a condition:-

1. The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioners will liable to be canceled.

The application stands allowed.

(Chandra Prakash Singh, J)

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