

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2118 of 2023

Arising Out of PS. Case No.-88 Year-2021 Thana- YADOPUR District- Gopalganj

VISHWANATH KUMAR @ VISHWANATH KUMAR YADAV S/o Viran
Gond R/v- Pakargawn, Ward No. 14, P.S.- Bagha-1, District West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 21-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 366, 363, 379/34 of the Indian Penal Code and further sections 302, 201, 120(B) of the IPC was added.

3. As per allegation in the FIR, in absence of informant, co-accused Sanjay Sah and Rajan Sah have abducted his wife and younger daughter with a view to marry her. On next day their dead bodies were found near Kharpokhra railway station.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this



case. Petitioner is not named in the FIR. It is submitted that there was illicit relationship between the wife of the informant and FIR named accused persons. After completing the investigation, I.O. has submitted final form against the FIR named accused finding the mistake of fact and they have not been sent up for trial. During investigation, no consistent evidence has come against the petitioner to show his complicity in the present case save and except confessional statement of co-accused before the police, which has no evidentiary value in the eye of law. Petitioner has no concern with the alleged incident. He has got no criminal antecedent and he is languishing in judicial custody since 26.5.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction



of the learned Judicial Magistrate-1 class, Gopalganj in
connection with Jadopur P.S. Case No. 88 of 2021.

(Sunil Kumar Panwar, J)

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