

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6677 of 2023

Arising Out of PS. Case No.-607 Year-2020 Thana- SAHARSA SADAR District- Saharsa

LIC KUMAR @ VIKASH KUMAR @ L.I.C. KUMAR SON OF LUXMAN
YADAV R/O VILLAGE- BHELWA, P.S.- SAHARSA, DISTRICT-
SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 11-05-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 302, 341,
323, 506, 147 and 149 of the Indian Penal Code registered in
connection with Saharsa P.S.Case No. 607 of 2020.

As per allegation, in the intervening night of
14/15.08.2020 at about 3.00 a.m. when the informant was asleep
in his house, his sleep was interrupted on hearing the screams of
his mother and he saw the petitioner along with co-accused
Laxman Yadav and three other accused persons catching hold
of the wife of Manoj Kumar, brother of the informant, and they
after putting the knot around her neck, were dragging her and in



the process, she died. As per allegation, the petitioner had illicit relation with Manita Devi, the deceased.

Mr. Krishna Prasad Singh, the learned senior counsel for the petitioner has submitted that in paragraph nos. 96 to 100 of the case diary, the statement of the independent witnesses have been recorded and these witnesses have stated that the mother of the deceased herself was crying and was uttering that it was the informant who committed the murder of the deceased. He has submitted further that the petitioner is in custody since 20.11.2022 having no criminal antecedent.

On the other hand, the learned APP for the State has opposed the prayer for bail.

Considering the above facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Saharsa in connection with Saharsa Sadar P.S.Case No.607 of 2020, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
2. If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court



below for cancellation of the bail of the petitioner
and the learned court below will take decision in
accordance with law.

(Nawneet Kumar Pandey, J)

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