

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9855 of 2023

Arising Out of PS. Case No.-144 Year-2022 Thana- MAHUA District- Vaishali

VIKRAM KUMAR S/O- Vinod Patel Resident Of Village- Kanhauli
Bishunparsa, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yatindra Narayan, Advocate
For the State	:	Mr. Anant Kumar 1, APP
For the Informant/s	:	Mr. Vasant Vikas, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 04-05-2023 1. Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.
2. Petitioner seeks regular bail in connection with Mahua P.S. Case No. 144 of 2022, dated 11.03.2022 registered for the offences punishable under Sections 341, 342, 302, 120(B), 379 and 34 of the Indian Penal Code.
3. The main submissions advanced by petitioner's counsel are that the petitioner has fair and clean antecedent, he is not named in the FIR, as per FIR informant and his wife are stated to be eye-witnesses of the alleged occurrence of the murder of informant's brother and they claimed to have seen the accused persons committing the alleged murder in the light of bulb and disclosed the names of four co-accused persons but



name of this petitioner was not disclosed by them in the FIR while the petitioner is a co-villager of the informant, which clearly shows that he has been falsely implicated in this case and moreover, he has been languishing in jail 02.11.2022 and against him investigation has been completed. Further submissions are that during investigation petitioner has been made accused mainly on the basis of confessional statement of co-accused Mukesh Patel and except the said statement there is no any other material to show the petitioner's involvement in the alleged crime and the said statement is not admissible in the eye of law.

4. Learned counsel appearing for the informant has vehemently opposed the prayer for bail and submitted that the petitioner was involved in the alleged murder and his name came into light during investigation in the statement of co-accused.

5. Considering the above submissions and mainly the facts that the petitioner is not named in the FIR and he has fair and clean antecedent, his presence as well as his role has not been disclosed by the informant in the FIR while the petitioner is a co-villager of the informant and the informant and his wife claimed to have seen the accused persons committing the



alleged occurrence in the light of bulb and also the fact that against the petitioner investigation has been completed, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Mahua P.S. Case No. 144 of 2022.

(Shailendra Singh, J.)

maynaz/-

U		T	
---	--	---	--

