

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11612 of 2023

Arising Out of PS. Case No.-509 Year-2022 Thana- WAJIRGANJ District- Gaya

Vikash Kumar Singh @ Vikash Kumar Son Of Late Anandi Singh @ Gorelal
Singh R/O Village- Karisowa, P.S.- Wazirganj, District- Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

As per prosecution case, the petitioner along with co-accused person are alleged to have assaulted the informant's grandson namely, Vivek Kumar due to which he succumbed to injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The deceased was residing in boarding school of the petitioner due to which he has falsely been implicated in this case. It is also submitted vide para 9 of the petition that during investigation,



the sister of the deceased along with other boys of the said school stated that the deceased Vivek Kumar after putting cloth went near motor pump where he fell down and sustained injury. Thereafter, the grandfather of the deceased came with tempo and took the deceased to hospital and subsequently Vivek Kumar died. The petitioner has no intention to commit this offence rather he used to scold the boys of the said school wherever they used to quarrel. The sister of the deceased further stated the the deceased has not been assaulted by anyone. Learned counsel further submits that initially this case has been lodged u/s 302 of I.P.C. but after completion of the investigation, charge-sheet has been submitted u/s 304/34 of the I.P.C. Moreover, the petitioner has got no criminal antecedent and languishing in judicial custody since 29.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Wazirganj P.S. Case No. 509 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of
learned Additional Chief Judicial Magistrate-1st, Gaya.

(Sunil Kumar Panwar, J)

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