

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16514 of 2023

Arising Out of PS. Case No.-83 Year-2022 Thana- SIDHWALIYA District- Gopalganj

Vikesh Kumar Rai @ Bikesh Kumar Rai Son Of Sakal Rai Village- Jalalpur
Khurd Ps- Sidhwaliya Dist- Gopalganj Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Lokesh Kumar Singh
For the Opposite Party/s :	Mr.Yogendra Kumar Singh
For the Informant :	Mr Rajiv Ranjan
	Mr. Rananjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 201 and 34 of the Indian Penal Code.

Prosecution case relates to commission of murder of the informant's husband by the co-accused persons along with this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to village politics. The inquest report was prepared at 7:00 AM on 19.03.2022 but the FIR was instituted at 12:30 on 20.3.2022, which creates doubt in authenticity of the prosecution story. Neither any consistent material or evidence has come against the petitioner nor any



specific overt act has been levelled against him. Only on the basis of his self confessional statement made before the police, nothing has come against the petitioner to show his involvement in the present case. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 29.10.2022.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that it is a case of last seen and the petitioner is named in F.I.R..

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 Sidhwaliya P.S. Case No. 83 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 Judicial Magistrate, 1st Class, Gopalganj.

(Sunil Kumar Panwar, J)

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