

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35516 of 2023

Arising Out of PS. Case No.-793 Year-2022 Thana- KHAGARIA District- Khagaria

VIKASH KUMAR @ VIKKI MAHAJAN @ VIKASH KUMAR @ VIKKI
S/O NARAYAN PODDAR R/O Malgodam Road, P.S.-Khagaria, Dist.-
Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-07-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for regular bail in a
case instituted for the offence under Sections 363, 365,
120B, 304, 313 and 201 of the Indian Penal Code.

3. As per prosecution case, the allegation against
the petitioner along with others is of kidnapping, abortion
and hide the dead body of wife of the informant.

4. It is submitted by learned counsel for the
petitioner that petitioner has been falsely implicated in this
case. He has committed no offence. The petitioner is
innocent and he along with his father co-accused Narayan
Poddar, mother Tanu Devi has been falsely implicated in the



present case, on the basis of suspicion. Only suspicion has been raised against the petitioner, his father co-accused Narayan Poddar, his mother Tanu Devi inasmuch as the wife of the informant was running a grocery shop in the residential house of the informant. The petitioner was the tenant in the house of the informant. There is no consistent evidence and no eye-witness of the alleged occurrence. During course of investigation much after the occurrence i.e., after about 3 months of the alleged occurrence on 14.10.2022, the confessional statement of the petitioner recorded before police, which has got no evidentiary value in the eyes of law. He is languishing in judicial custody since 12.10.2022.

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 as well as period of custody, 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 Court
below in connection with Khagaria P.S. Case No. 793 of
2022.

(Sunil Kumar Panwar, J)

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