

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43048 of 2022

Arising Out of PS. Case No.-47 Year-2021 Thana- HARSIDHI District- East Champaran

Vikash Kumar @ Bittu S/O Sri Kaushalpandey @ Kaushal Kumar Pandey
Resident of village- Matiariya, P.S.- Harsidhi, District- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner	:	Mr. Anil Kumar, Advocate
		Ms. Pooja Kumari, Advocate
For the Opposite Party	:	Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 13-02-2023 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Harsidhi P.S. Case No. 47 of 2021 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

Allegedly, the informant who is a chowkidar, found the dead body of an unknown person lying at village Gobindapur Birti Tola Canal.

The main submission advanced by learned counsel for the petitioner are that the petitioner has fair and clean antecedent, he is not named in the FIR and languishing in jail since 20.11.2021 and there is no eye witness of the alleged murder and petitioner's name

came into light in the confessional statement of the co-accused namely, Navnit Kumar who is a relative of the petitioner with whom the petitioner has a land dispute and except the confessional statement of said co-accused, there is no any other material against the petitioner to connect him to the alleged murder.

Learned APP has opposed the bail prayer.

Having considered the above submissions and mainly the facts that the prosecution has not shown of any direct evidence against the petitioner showing his involvement in the alleged crime of murder and the petitioner has fair and clean antecedent and languishing in jail since 20.11.2021 and during the investigation no one claimed to have seen this petitioner being involved in the alleged crime, this Court is inclined to accept his prayer for bail. 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 learned 21st Additional Sessions Judge, Motihari, East Champaran in Connection with Harsidhi P.S. Case No. 47 of 2021.

(Shailendra Singh, J)

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