

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48599 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- MAHINDWARA District- Sitamarhi

Vikram Rai @ Vikram Kumar Son Of Late Mahendra Rai Resident Of
Village- Kharhua, Ps- Mahindwara, Distt- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

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

The petitioner has prayed for bail in a case instituted
for the offence under Sections 341, 323, 302, 504/34 of the
Indian Penal Code.

It is a case of commission of murder to the
informant's father due to land dispute. On the order of Uma
Shankar Rai, several accused persons including the petitioner
assaulted the informant as a result of which he died on spot.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case due to
land dispute. No specific allegation of assault is attributed to the
petitioner. General and omnibus allegation of assault has been
attributed against the petitioner. Postmortem report is not in



consonance with the prosecution case as cause of death was hemorrhage and shock leading to cardiac failure. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 18.5.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail **after framing of charge**. 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 Judicial Magistrate 1st Class, Sitamarhi in connection with Mahindwara P.S. Case No. 71 of 2023.

(Sunil Kumar Panwar, J)

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