

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60803 of 2023

Arising Out of PS. Case No.-590 Year-2022 Thana- BIDUPUR District- Vaishali

Vikas Kumar S/O Bhagwan Lal Rai Resident Of Village Sahdullapur, PS-
Gangabridge, Dist- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-12-2023 Heard Mr. Manish Chandra Gandhi, learned counsel

appearing on behalf of the petitioner and learned Additional

Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Bidupur P.S. Case No. 590 of 2022, registered for the
offences punishable under Sections 341, 323, 324, 379, 504,
506/34 of the Indian Penal Code and later on Section 307 of the
Indian Penal Code was also added.

3. The allegation against the petitioner is that he along
with co-accused persons put the rope at the neck of the
informant and tried to strangle him. However, on the
intervention of the villagers, the informant anyhow saved
himself at the hands of the accused persons. It is further alleged
that co-accused Chanar Kumar has inflicted *hasua* blow over



the head of the informant due to which he sustained serious injury. The accused persons also snatched away Rs.1,17,000/-.

4. It is submitted on behalf of the petitioner that both the accused persons as well as the informant are resident of adjacent village under one Panchayat and as such the incidence of snatching valuables does not inspire confidence. He next submits that even as per the FIR there is only allegation against the petitioner is of attempt to strangle the informant by putting a rope along with other accused persons. He next submits that in fact no such incidence has taken place and it was only an accident which took place on account of rash driving of the co-accused persons which resulted into lodging of this FIR in order to wreak vengeance. Moreover, the injury sustained to the informant is also found to be simple in nature. He next submits that though the petitioner is facing two criminal cases but he is on bail in both the cases. That apart, he undertakes that he will fully cooperate in the investigation and would not indulge in intimidating the informant and witnesses.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation



and the fact that the injury is simple in nature, coupled with the fact that the parties are known to each other, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 590 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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