

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60938 of 2023

Arising Out of PS. Case No.-493 Year-2018 Thana- SARAIYA District- Muzaffarpur

Vikash Kumar @ Abhishek Kumar Son Of Uday Shankar Prasad Singh
Village- Chainpur, Ps- Kanti, Dist- Muzaffarpur At Present Village- Daudpur,
Ps- Paroo, Dist- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 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 302, 120(B) and 201 of the
Indian Penal Code.

The prosecution case in short is that the brother of the
informant went along with the accused persons in the night and
did not return and later on his dead body was recovered.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Petitioner
is not named in the FIR. No one is the eye witness of the alleged
occurrence. At best, it is a case of last seen. Only on the basis of
suspicion, the name of the petitioner dragged in the present case.



Petitioner remanded in this case from Sadar P.S. Case No. 423 of 2021 on 9.6.2023 and since then he is in custody. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 30.7.2019 passed in Cr. Misc. No. 17854 of 2019.

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. 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 ACJM, 4th, (West), Muzaffarpur in connection with Saraiya P.S. Case No. 493 of 2018.

(Sunil Kumar Panwar, J)

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