

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4066 of 2023

Arising Out of PS. Case No.-500 Year-2018 Thana- JAKKANPUR District- Patna

Vickky Kumar @ Surendra Kumar @ Vicky Kumar @ Surendra Kumar Son
Of Mahendra Shaw @ Mahendra Sao Resident Of Mohalla - Nathupur, Near
Parsa Bazaar Station, P.S. - Parsa Bazar, District - Patna... ... Appellant/s
Versus

THE STATE OF BIHAR Respondent/s

Appearance :

For the Appellant/s : Mr. Amrendra Kumar Sinha No.1
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-10-2023 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 7.8.2023 passed by learned Spl. Judge SC/ST Act, Patna whereby the prayer for bail of the appellant in connection with Jakkanpur P.S. Case no. 500 of 2018 under Sections 302, 201/34 of the Indian Penal Code and sections 3(i) (v) of SC/ST Act was rejected.

Prosecution case relates to commission of murder to the informant's son, namely Samir Sagar.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. Appellant's name has been dragged in this case on confessional statement of co-accused Chintu Kumar, who has already been enlarged on bail by another Bench this Court vide order dated



21.10.2019 passed in Cr. Misc. No. 44869 of 2019 and the case of the appellant is on better footings to that of the co-accused. Appellant is not named in the FIR. No offence is made out under the provisions of the SC/ST Act against them. He has got no criminal antecedent and languishing in judicial custody since 1.5.2023.

The appeal for bail is opposed by learned Spl. P.P. for the State.

Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 7.8.2023 is hereby set aside.

The appellant is directed to be enlarged on bail in connection with Jakkanpur PS Case No. 500 of 2018 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 Spl. Judge SC/ST Act, Patna.

(Sunil Kumar Panwar, J)

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