

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59859 of 2022

Arising Out of PS. Case No.-296 Year-2022 Thana- RAXAUL District- East Champaran

VIKASH KUMAR S/o Sri Nandu Sah R/V- Adapur, P.S.- Adapur, Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60051 of 2022

Arising Out of PS. Case No.-296 Year-2022 Thana- RAXAUL District- East Champaran

LAWKESH KUMAR Son of Mangal Mahto R/v- Haraiya, P.S.- Raxaul, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 59859 of 2022)

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Mukesh Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 60051 of 2022)

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 21-04-2023 Heard the learned counsel for the petitioners as well
as the learned Additional Public Prosecutor for the State.

The petitioners are seeking regular bail in connection
with Raxaul (Haraiya) P.S Case No. 296 of 2022, registered for
the offences punishable under Sections 147, 148, 149, 341, 323,
324, 326, 302, 379, 504 and 506 of the Indian Penal Code.



The allegation against the petitioners is that they along with other accused persons committed murder of the deceased Arvind Kumar Singh, son of the informant.

The learned counsels for the petitioners have submitted that they are innocent and falsely been implicated in this case. They have submitted that the FIR is explicit in which it has been mentioned that deceased Arvind Kumar Singh, in injured condition, named three co-accused persons Vicky, Deepak Jaiswal and Sukat Kumar @ Pintoo Kumar as assailant. As per statement of the deceased, the petitioners were not assailant. The petitioner Vikash Kumar is under custody since 05.07.2022 and the petitioner Lawkesh Kumar is under custody since 14.06.2022.

Considering the above-mentioned facts and circumstances, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari in connection with Raxaul (Haraiya) P.S Case No. 296 of 2022 subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available on each and every



date of trial. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

(iii) Before release of the petitioners, the learned court below shall verify the criminal antecedent of the petitioners and it comes to the notice of the learned court below that the petitioners are involved in any other case, the learned court below shall be at liberty to cancel their bail bonds.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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