

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63075 of 2023

Arising Out of PS. Case No.-78 Year-2023 Thana- PATEPUR District- Vaishali

Vikash Kumar Son Of Shri Dayanand Rai Village- Bishanpur Kowahi Ps-
Patepur Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-12-2023 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under Section

302/34 of the Indian Penal Code.

It is a case of commission of murder of the son

of the informant. It is specifically alleged against the

petitioner that he assaulted with iron rod to the

deceased.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely



been implicated in this case. For the alleged occurrence of 08.04.2023, the F.I.R was registered on 09.04.2023 without explaining the delay. The informant is not the eye witness to the occurrence and during investigation the witnesses have given contradictory statements. The petitioner is languishing in custody since 10.04.2023. A statement has been made in para 3 of the petition that petitioner is accused in one other case apart from present case.

In contra, learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner and submitted that there is specific allegation against the petitioner that he assaulted with iron rod to the deceased. The postmortem report also corroborates the case of the prosecution. The independent witnesses also supported the case of the prosecution.

Considering the fact that there is specific



accusation against the petitioner to have assaulted with iron rod to the son of the informant, resulting into his death, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Sunil Kumar Panwar, J)

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