

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59734 of 2022

Arising Out of PS. Case No.-434 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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Vikash Kumar @ Vikash, Son of Umesh Shah @ Kashi, R/O Village-
Indarwa, Badullah, P.O- Thawe, P.S- Gopalganj Town, District- Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ashish Giri, Advocate Mr. Sumit Kumar Jha, Advocate Mr. Devashish Giri, Advocate Ms. Riya Giri, Advocate
For the Opposite Party/s :		Ms. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-01-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Gopalganj Town P.S. Case No.434 of 2022 registered for the
offences punishable under Sections 147, 148, 149, 302, 34,
120B of the Indian Penal Code.

There is an allegation of mercilessly beating the
informant's son by 22 persons, including the petitioner. It is
alleged that they were infuriated over some theft committed by
the informant's son.

The learned counsel for the petitioner submits that
attributing general and omnibus allegations, the petitioner has



been implicated. The implication is false. Petitioner has clean antecedents. He is himself a young person, aged about 19 years and is in custody since 22.08.2022. Falsity is manifest from the protest petition, copy of which has been enclosed as Annexure 2, which shows that the informant has stated that it is other named accused persons who are responsible for beating of his son. Other co-accused, namely, Amjad @ Amjad Ali and Dablu @ Aslam Ali have been allowed anticipatory bail in Cr.Misc. No.57704 of 2022 and Sajid Ali @ Sajid and Raja @ Shahnawaj Ali, have been allowed anticipatory bail in Cr.Misc. No.59886 of 2022.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, nature of allegations, contents of the protest petition, clean antecedents, coupled with the young age of the petitioner, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Gopalganj, in connection with
Gopalganj Town P.S. Case No.434 of 2022, subject to the
following conditions:

(i) That one of the bailors will be a
close relative of the petitioner who will
give an affidavit giving genealogy as to
how he is related with the petitioner. The
bailor will also undertake to inform the
court if there is any change in the
address of the petitioner.

(ii) That the petitioner will be well
represented on each date and if he fails
to do so on two consecutive dates, his
bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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