

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63804 of 2022

Arising Out of PS. Case No.-291 Year-2021 Thana- DHAMDAHA District- Purnia

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Vikash Kumar @ Vikash Sah @ Vikash Kumar Sah Son Of Mantu Sah
Resident Of Ward No.- 4, Dhamdaha North P.S.- Dhamdaha, District -
Purnea.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Bharat Bhushan, App, 156

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-03-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 302/34 of the Indian
Penal Code and Section 27 of Arms Act.

It is a case of commission of murder of
informant's son, Pappu Sah, and a suspicion has been
raised against co-accused Devnarayan Sah.

It is submitted by learned counsel for the
petitioner that the petitioner is innocent and he has



falsely been implicated in the present case. Petitioner is not named in F.I.R. and on the basis of confessional statement of one Dilkhush Kumar, the name of petitioner sprang up in this case, which has no evidentiary value in the eye of law. Neither there is consistent and material evidence against the petitioner nor there is any eye witness of the alleged offence. Moreover, the petitioner is languishing in judicial custody since 25.06.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Dhamdaha P.S. Case No. 291 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees



ten thousand) with two sureties of the like amount each
to the satisfaction of the learned Chief Judicial
Magistrate, Purnea.

(Sunil Kumar Panwar, J)

nirajkrs/-

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