

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70193 of 2023

Arising Out of PS. Case No.-29 Year-2021 Thana- MADHUBAN District- East Champaran

1. Viku Kumar Singh @ Biku Kumar S/O Shyam Kumar R/O Vill - Mogalniya, P.S. - Madhuban, Distt. - East Champaran At Motihari
2. Bhuntul Kumar Singh @ Vikram Kumar Son Of Shyam Kumar @ Shyam Kumar Singh R/O Vill - Mogalniya, P.S. - Madhuban, Distt. - East Champaran At Motihari

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar
For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 302, 504, 506 and 120B of the Indian Penal Code.

3. As per prosecution case, it alleged that on 02.02.2021, while the brother of the informant was going on his vehicle, all the F.I.R. named accused persons including the petitioners and 18-20 unknown persons holding Farsa in their hands pulled him down from the vehicle and the petitioners and co-accused Vikash Kumar and Shyam Kumar Singh started



assaulting the brother of the informant by farsa upon which he fell down and thereby all the accused persons assaulted him with lathi, danda, farsa and iron rod, who subsequently succumbed to the injuries during treatment.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. There is general and omnibus allegation against the petitioners and neither any specific allegation nor any overt act has been levelled against these petitioners. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 11.08.2023 passed in Cr. Misc. No. 50812 of 2023. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 23.08.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand



only) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari at East Champaran in connection with Madhuban P.S. Case No. 29 of 2021.

(Sunil Kumar Panwar, J)

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