

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71769 of 2023

Arising Out of PS. Case No.-154 Year-2023 Thana- JALALPUR District- Saran

Vishal Kumar @ Vivek Singh @ Vikki Singh Son Of Vijay Kumar Singh R/O
Village- Balua, P.S.- Jalalpur, Dist.- Saran At Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 342, 147, 148, 149 and
302 of the Indian Penal Code.

3. As per prosecution case, the husband of the
informant who had been working as Munshi of one Md. Adil @
Bacchu Miya in his factory, dealing with bones, did not return
after his work and later on the informant came to know that her
husband was brutally assaulted and killed by anti social
elements when his vehicle broke down. At the instance of one
Md. Shafaqat, who was with the husband of the informant, the
informant named six persons in the FIR, apart from 20-30
unknown persons for being involved in the said occurrence of



killing of her husband. The name of the petitioner transpired during investigation as one of the persons also involved in the offence.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. Petitioner is not named in the FIR. He submitted that one person namely Md. Shafakat, who was accompany the deceased and has claimed to identify six persons have also not attributed any role of the petitioner in the alleged offence. The name of the petitioner has come into light, on the basis of confessional statement of co-accused Pawan Kumar Singh, which has got no evidentiary value in the eyes of law. Except suspicion, there is no any cogent evidence has come against the petitioner to show his complicity in the alleged occurrence. Further, it is submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 08.11.2023 passed in Cr. Misc. No. 71112 of 2023. He is languishing in judicial custody since 30.06.2023.

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 petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Jalalpur P.S. Case No. 154 of 2023.

(Sunil Kumar Panwar, J)

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