

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73194 of 2022

Arising Out of PS. Case No.-155 Year-2021 Thana- BHAGWANPUR District- Begusarai

VIKASH KUMAR Son of Narad Mahto R/V- Bashi, P.S- Bhagwanpur, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code.

As per prosecution case, FIR was lodged against the accused persons including the petitioner for assaulting the informant's husband with bricks. On alarm raised by him, villagers arrived then accused persons fled away. Thereafter, the injured informant's husband died during the initiation of treatment.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is nephew of the informant and a dispute in respect of land is going on between them as a result of which the petitioner



has falsely been implicated in this case. There is general and omnibus allegation leveled against the petitioner and no specific overt-act has been attributed to him. He has got no criminal antecedent. Moreover, similarly situated co-accused namely, Narad Mahto and Bimla Devi have already been granted bail by a co-ordinate Bench of this Court vide order 26.5.2022 passed in Cr. Misc. No. 9695 of 2022 and in support of this Annexure-2 has been annexed with this petition. It is further submitted that the petitioner is languishing in judicial custody since 30.9.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhagwanpur P.S. Case No. 155 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Begusarai.

(Sunil Kumar Panwar, J)

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