

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72438 of 2022

Arising Out of PS. Case No.-138 Year-2021 Thana- MUZZFARPUR GRP CASE District-
Muzaffarpur

VICKY KUMAR Son of Munna Singh Resident of Village - Hazratpur,
Majlis, P.S.- Meenapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brahmputra Singh, Adv.
Ms. Poonam Kumari, Adv.
For the Opposite Party/s : Mr. Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 307, 328, 379 of the
Indian Penal Code.

As per allegation in the FIR, while the informant and
his three friends got down from the Saryu Yamuna Express, one
unknown person came there and offered them intoxicated maza
drink as a result of which they became unconscious. It is further
alleged that the said person had looted their belongings.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He is not
named in the FIR. He was neither arrested on spot nor put on
TIP till date. He also submits that though the alleged theft



mobile, belongs to the informant, has been recovered from the petitioner but he submits that the search and seizure has not been made as per the rules provided by Cr.P.C. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 17.08.2022 passed in Cr. Misc. No. 13733 of 2022. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 29.04.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 20th Additional Sessions Judge, Muzaffarpur in connection with S. T. No. 749 of 2022 arising out of Rail Muzaffarpur P.S. Case No. 138 of 2021.

(Sunil Kumar Panwar, J)

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