

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72386 of 2022

Arising Out of PS. Case No.-280 Year-2022 Thana- PIRO District- Bhojpur

Vikash Kumar Sah @ Rattan Sah S/O Rangila Shah Resident of village- Itwa, P.S.-
Karakat, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s	:	Mr. Ashok Kumar Singh, Advocate
For the Informant	:	Mr. Sumeet Kr. Singh, Advocate
		Ms. Alka Singh, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 28-04-2023 1. Heard learned counsel for the petitioner, learned counsel for the informant and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Piro P.S. Case No. 280 of 2022 dated 31.05.2022 registered for the offences punishable under Sections 302, 34 and 120(B) of the Indian Penal Code.
3. The main submissions advanced by learned counsel for petitioner are that this petitioner is not named in the FIR, he was remanded in this case from Piro PS Case No. 327 of 2022 in which he has got bail and during investigation petitioner's name came into light but in the FIR the specific allegation of firing is against the co-accused Vikash Kumar @ Nepali.
4. Learned counsel for informant has vehemently opposed the bail prayer of the petitioner and submitted that the petitioner was involved in the alleged murder and he was hired by the co-accused

persons and he confessed the crime in his statement before the police and he has admittedly criminal antecedent of one case.

5. Learned APP for the State has opposed the bail prayer of the petitioner.

6. Considering the above submissions and mainly the facts that the petitioner is not named in the FIR and as per the FIR the informant claimed to have identified co-accused Vikash Kumar @ Nepali as main assailant and petitioner's name surfaced during investigation and the prosecution is mainly relying upon petitioner's statement given before the police in respect of his involvement in the alleged crime and against the petitioner the investigation has been completed, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail, **after framing of charge, if the same has not been framed**, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Piro P.S. Case No. 280 of 2022.

7. The trial Court is directed to frame the charge upon the petitioner at the earliest as per procedure.

(Shailendra Singh, J)

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