

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.252 of 2023

Arising Out of PS. Case No.-79 Year-2022 Thana- DHARHARA District- Munger

VIKASH KUMAR Son of Uday Yadav Resident of Maharna, P.S.-
Dharahara, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-03-2023 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 341, 448, 366A, 379, 504, 506/34 and 323 of the Indian Penal Code.

As per prosecution case, all the FIR named accused persons including the petitioner entered into the house of the informant and on showing arms, they robbed cash of Rs. 1,50,000/- and ornaments. The accused persons also abducted the minor girl, aged about 13 years, of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel further submitted that the statement of victim recorded under Section 164 of Cr.P.C. wherein, she has not made any allegation against



this petitioner rather she stated that the co-accused Shukhen Kumar @Patori attempted several times to commit rape with her after sprinkling obnoxious material, due to the victim became senseless. General and omnibus allegation has been made against this petitioner. Similarly situated co-accused Rohit Kumar has already getting the privilege of bail granted by this Court vide order dated 17.1.2023 passed in Cr. Misc. No. 61197 of 2022. Moreover, the petitioner has got no criminal antecedent and languishing in judicial custody since 17.5.2022.

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 Dharhara P.S. Case No. 79 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Munger.

(Sunil Kumar Panwar, J)

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