

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17118 of 2024

Arising Out of PS. Case No.-1149 Year-2023 Thana- KANKARBAG District- Patna

Vikash Kumar @ Vikash Sahani S/o Madan Prasad @ Madan Sahani R/o
Mohalla - Malahi Pakadi, Devi Stan, P.s. - Kankarbagh, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv.

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 30-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kankarbagh P.S. Case No. 1149 of 2023 dated 17.11.2023 registered for the offences punishable u/ss 341, 323, 307, 379, 385 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have come to the shop of the informant and demanded Chanda for Chhath Puja upon which the informant's elder son told them to come tomorrow due to which all the accused persons became violent and started assaulting him. During course of scuffle, the petitioner took Rs.



30,000/- from the cash box of his shop. The co-accused, Dina snatched gold chain worth Rs. 60,000/- and the co-accused, Sagar snatched gold chain weighing 30 gms. from his elder son. On being protested by the informant and his son, the petitioner and his friends started assaulting the informant and his son with iron rod on their head and nose as a result of which they became injured. They sustained injuries on their heads, nose and other parts of the body. Thereafter, the injured were taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The allegation of snatching against the petitioner is ornamental. As per the injury report of the injured, the informant sustained injuries which is stated to be grievous in nature and the informant's son sustained injuries which is simple in nature. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedent in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 09.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Kankarbagh P.S. Case No. 1149 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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