

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27935 of 2024

Arising Out of PS. Case No.-243 Year-2017 Thana- MADHAURAH District- Saran

Vikash Kumar @ Vikash Kumar Giri S/o Tej Narayan Giri @ Tejlal Giri
Resident of Village- Bhawalpur, P.S.- Marhowrah, District- Saran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. M.N.Parbat, Sr.Advocate Mr. Praveen Prabhakar
For the Opposite Party/s	:	Mr.Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-05-2024 Heard learned counsel for the learned counsel for the
petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 302, 307/34 of the Indian Penal Code.

3. As per prosecution case, on 18.06.2017 at 6 AM, the informant alongwith her grand-daughter Juli Kumari and her husband Shankar Giri (deceased) were sowing maize crop in her field and thereafter, while they were returning home, all the FIR named accused persons including this petitioner surrounded them and co-accused Tejpai Giri assaulted with Daab on the temple of Juli Kumari (grand daughter of informant). It is further alleged that while Shankar Giri tried to save Juli Kumari,



co-accused gave repeated blow of Daab on the neck of Shankar Giri, as a result of which, he fell down and thereafter, all the accused fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence and has been falsely implicated in this case. Petitioner is neither named in the F.I.R. nor his name transpired during course of investigation. Name of the petitioner surfaced during trial wherein it has been alleged by some of prosecution witnesses that petitioner was also present at the place of occurrence and he is involved in the crime, whereas, as per F.I.R., the informant, who claims to be eye-witness of the occurrence, has alleged that all the F.I.R. named accused persons committed the murder of the deceased. Petitioner has got clean antecedent.

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

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – VII, Saran at Chapra in connection



with Marhowrah P.S. Case No. 243 of 2017, subject to condition
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Singh, J)

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