

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61438 of 2023

Arising Out of PS. Case No.-178 Year-2023 Thana- SARAIYA District- Muzaffarpur

VIKKU KUMAR son of Jaleshwar Sahni Village- Bahiwara Govind
Lakshmipur Ps- Saraiya Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agarwal, Senior Advocate
		Mr. Sanjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

8 04-04-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Saraiya P.S. Case No.178 of 2023 registered for the offence
under Sections 304, 307, 414/34 of the Indian Penal Code.

3. Allegation against the petitioner is to have
cause death of a constable, namely, Mahesh Yadav.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that petitioner is a
daily wager and driver of the said vehicle. It is submitted that
ingredient of Section 307, 307, 414/34 of the IPC and Section 3
of the Prevention of Damage to the Public Property Act is not



made out against this petitioner. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 26.03.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. In view of the submissions, as made above, as it appears from perusal of FIR, case diary, postmortem report and impugned order that there is specific allegation against this petitioner and as per report submitted by learned trial court, six month's time is required to conclude the trial of this case, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. However, learned Trial Court is directed to conclude the trial of this case within a period of six months and this petitioner shall co-operate in trial of the case and if the trial could not be completed within a period of six month, then the petitioner may renew his prayer for bail before the learned trial court itself.

(Ramesh Chand Malviya, J)

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