

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62552 of 2023

Arising Out of PS. Case No.-214 Year-2022 Thana- BARIYARPUR District- Munger

BIKKU KUMAR Son of Sanjay Mandal R/o vill - Bariyarpur (Basti), P.s. -
Bariarpur, Distt. - Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 364/34 of the Indian Penal Code. Later on Sections 302/120B of the I.P.C. have also been added.

3. As per prosecution case, the informant suspected that driver of the Scorpio namely, Vikku Kumar (Petitioner) and its owner Suman Kumar @ Diwakar Kumar have killed her husband.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to dirty village politics. During investigation, save and



except the confessional statement of petitioner, no other consistent material has come against him to show his complicity in the alleged occurrence. Petitioner is driver of the alleged Scorpio vehicle and as per instruction of his owner namely, Suman Kumar the petitioner has received deceased namely, Ajit Yogi (Netaji) and thereafter he had followed the instruction of deceased. He has no concern with the alleged occurrence. The allegation against the petitioner is totally false, fabricated and baseless. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused persons have already been granted bail by different co-ordinate Bench of this Court vide order dated 13.07.2023 passed in Cr. Misc. No. 21229 of 2023, order dated 04.08.2023 passed in Cr. Misc. No. 32616 of 2023 and order dated 09.08.2023 passed in Cr. Misc. No. 29014 of 2023 respectively. Moreover, the petitioner is languishing in judicial custody since 30.12.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner



on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Munger in connection with Bariyarpur P.S. Case No.214 of 2022.

(Sunil Kumar Panwar, J)

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