

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70019 of 2023

Arising Out of PS. Case No.-74 Year-2023 Thana- SARAIYA District- Muzaffarpur

Vikash Kumar S/O Nagendra Singh @ Nagendra Kr. Singh R/O Village-
Kolwara, P.S- Saraiya (JAITPUR O.P), Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 302, 120B and 34 of the Indian Penal Code.

3. As per FIR, this petitioner took away the informant's son from his house and they told the informant that soon we would come but the informant's son did not return and after calling on his number, it was switched off. When informant along with other tried to call this petitioner but did not respond. Later on, petitioner called the informant and said that his son was lying unconscious. It is further alleged by the informant that this petitioner along with other co-accused persons committed murder of his son.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no eye witness of the alleged occurrence and also nothing consistent or cogent material has come against the petitioner in commission of murder of the informant's son. Only on the basis of suspicion, he has been dragged in this case. As per FIR, only allegation against this petitioner is that he took the informant's son from his house but did not commit any wrong with the informant's son. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 21.06.2023.

5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that petitioner is named in FIR and this is case of last scene.

6. 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 **after framing of charge if the charge is not framed** in connection with Saraiya P.S. Case No. 74 of 2023 on



furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IVth West Muzaffarpur.

(Sunil Kumar Panwar, J)

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