

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75545 of 2023

Arising Out of PS. Case No.-818 Year-2022 Thana- SHASTRINAGAR District- Patna

Vikash Kumar S/O Umesh Mahto R/o village- Kanhauli, P.s.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagmani Kumar, Advocate
For the State : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 27-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Session Trial No. 906 of 2023 arising out of Shastri Nagar P.S. Case No. 818 of 2022 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

3. As per the prosecution case, the deceased was assaulted by the accused persons including the petitioner and thereafter she was killed by them by throttling the neck.

4. Learned counsel for the petitioner has submitted that no occurrence as alleged has taken place. He further submits that the deceased has committed suicide. One day before the occurrence another case of Section 307 of the Indian Penal Code was registered against the petitioner by the



deceased.

5. During investigation, the landlord of the victim has supported the occurrence of one day before but about the present case, he has said that he does not have any information about any occurrence. The post-mortem report also does not support the F.I.R. and it appears that the deceased might have committed suicide. The petitioner is in jail since 24.01.2023.

6. Considering the aforesaid, this application is allowed.

7. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge, 30, Patna in connection with Session Trial No. 906 of 2023 arising out of Shastri Nagar P.S. Case No. 818 of 2022, subject to the condition that the petitioner will co-operate in the trial. He will appear personally or through his Advocate regularly in the trial. Failure to do so will result in cancellation of his bail bonds.

(Sandeep Kumar, J)

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