

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88938 of 2024

Arising Out of PS. Case No.-165 Year-2020 Thana- MOTIPUR District- Muzaffarpur

Vikash Kumar S/O Lal Babu Sahani Resident of village - Mahwal @ Mahual,
P.S- Motipur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No. II, Advocate

Smt. Priyanka Kumari, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 15-02-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Motipur P.S. Case no. 165 of 2020 registered under sections 302 and 34 of the Indian Penal Code.

3. As per the allegations in the F.I.R., 11 named accused persons including the petitioner herein came variously armed and started to assault the informant's son. It is stated that the same night the police recovered the dead body of the informant's son and took it to the police station. The next day postmortem was conducted and thereafter following the cremation, the case was registered.



4. Learned counsel for the petitioner submits that the allegations levelled in the F.I.R. are false and concocted besides being general and omnibus in nature. There is no explanation to the fact that when information was given to the police on 15.7.2020 at 9:30 p.m., why the F.I.R. was registered only on 17.7.2020 at 7:30 p.m. There is no specific allegation against this petitioner. Co-accused Rambabu Sahani and Lakshman Sahni have been enlarged on bail vide order dated 2.8.2021 passed in Cr. Misc. no. 12369 of 2021. The petitioner has remained in custody since 22.6.2024 and charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the general and omnibus allegations levelled in the F.I.R. against the petitioner, his having remained in custody for more than 7 months since 22.6.2024, charge-sheet having been submitted in the case and grant of bail to co-accused Rambabu Sahani and Lakshman Sahni vide aforesaid order dated 2.8.2021, the petitioner is directed to be enlarged on bail in connection with Motipur P.S. Case no.165 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of the
learned A.C.J.M.-II, West, Muzaffarpur.

(Partha Sarthy, J)

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