

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38681 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -BALTHAR District-
WESTCHAMPARAN(BETTIAH)

=====

Vikash Kumar @ Vikash Kumar Nirala @ Vikash Kumar Sah @ Vikash Sah, Son of Subhash Prasad @ Subhash Sah, Resident of Village- Bherihari , Tola Bahuarwa, Police Station- Sathi, District- West Champaran at Bettiah.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Narendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 23-12-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 392 of the Indian Penal Code.

Petitioner is not named in the first information report but in course of investigation, it came to light that looted mobile was being used putting another Sim in that mobile and when the police verified the aforesaid fact, it came to light that new Sim had been issued in the name of Vikash Kumar Nirala, Son of Subash Sah, Village-Ramparsauna, Block-Lauriya. Subsequently, petitioner was arrested and his confessional statement was



recorded and it is alleged that looted mobile and some cash as well as country made pistol were recovered from his house.

Submission on behalf of the petitioner is that petitioner was candidate in Panchayat election and as a matter of fact, he was implicated by the police because the Sim, which is said to have been used in stolen mobile, stood in the name of Vikash Kumar Nirala, who happens to be resident of Village-Ramparsauna, Block-Lauriya but petitioner is resident of Village-Bherihari, Tola-Bahuarwa, P.S. Sathi.

Considering the facts and circumstances of the case as well as submissions of the parties and also taking note of this fact that petitioner is in jail custody for near about six months and he does not have any criminal antecedent, except the case which has been shown in his confessional statement, let the petitioner 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 Additional Chief Judicial Magistrate-III, Bettiah in connection with Balthar P.S. Case No. 04 of 2016.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--

