

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55664 of 2017

Arising Out of PS.Case No. -116 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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1. Virchand Kumar, Son of Late Babu Rai, Resident of Village Kushar Chowk, P.S. Mahua, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar

For the Opposite Party/s : Mr. Kumar Virendra Narayan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 24.04.2017 in connection with Tajpur Waini P.S. Case No. 116/17 for offences punishable under Sections 395, 397, 412 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that six miscreants looted his pick-up van, Rs. 1,15,000.00 and three mobiles. The Bolero car, in which the petitioner and five other accused persons were travelling, was intercepted and all the accused persons were apprehended. From the possession of one Ranjan Kumar country-made pistol with one live cartridge was recovered and the money was found



under the seat of the said car. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and another case bearing Tajpur Waini P.S. Case No. 117/17 was lodged against the petitioner on the same day under the Arms Act and except that he has no other criminal antecedent. He submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and one of the co-accused, named in the First Information Report, has been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 44222 of 2017 on 06.11.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur, in connection with Tajpur Waini P.S. Case No. 116/17, subject to the following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the



jurisdiction of the concerned court.

- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in disposal of trial and make himself available as and when required by the court concerned and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, his bail bond shall be cancelled.

(Nilu Agrawal, J)

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